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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI REGISTER

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SECRETARY OF STATE

ROBIN CARNAHAN

Administrative Rules Division

James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

DIRECTOR

WAYLENE W. HILES

•

EDITORS

CURTIS W. TREAT

SALLY L. REID

ASSOCIATE EDITOR

SARAH JORGENSON

•

PUBLICATION TECHNICIAN

JACQUELINE D. WHITE

•

ADMINISTRATIVE ASSISTANT

LAUREN A. BAUMAN

•

SPECIALIST

ADAM T. SANDBERG

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IN THIS ISSUE:

PROPOSED RULES

Department of Conservation	
Conservation Commission	.681
Department of Economic Development	
Public Service Commission	.682
Department of Revenue	
Director of Revenue	.685
Department of Social Services	
MO HealthNet Division	.685
Elected Officials	
Secretary of State	.691
Department of Insurance, Financial Institutions and Professional Registration	
Property and Casualty	.691

ORDERS OF RULEMAKING

Department of Public Safety	
Missouri Gaming Commission	.692
Department of Revenue	
Director of Revenue	.693
Department of Social Services	
MO HealthNet Division	.693

Retirement Systems

Missouri Local Government Employees' Retirement System (LAGERS)	.694
---	------

Department of Insurance, Financial Institutions and Professional Registration

State Board of Registration for the Healing Arts	.694
State Board of Pharmacy	.695

IN ADDITIONS

Department of Health and Senior Services	
Missouri Health Facilities Review Committee	.696

CONTRACTOR DEBARMENT LIST	.697
----------------------------------	------

DISSOLUTIONS	.698
---------------------	------

SOURCE GUIDES

RULE CHANGES SINCE UPDATE	.702
EMERGENCY RULES IN EFFECT	.707
EXECUTIVE ORDERS	.709
REGISTER INDEX	.711

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
December 1, 2009 December 15, 2009	January 4, 2010 January 15, 2010	January 29, 2010 January 29, 2010	February 28, 2010 February 28, 2010
January 4, 2010 January 15, 2010	February 1, 2010 February 16, 2010	February 28, 2010 February 28, 2010	March 30, 2010 March 30, 2010
February 1, 2010 February 16, 2010	March 1, 2010 March 15, 2010	March 31, 2010 March 31, 2010	April 30, 2010 April 30, 2010
March 1, 2010 March 15, 2010	April 1, 2010 April 15, 2010	April 30, 2010 April 30, 2010	May 30, 2010 May 30, 2010
April 1, 2010 April 15, 2010	May 3, 2010 May 17, 2010	May 31, 2010 May 31, 2010	June 30, 2010 June 30, 2010
May 3, 2010 May 17, 2010	June 1, 2010 June 15, 2010	June 30, 2010 June 30, 2010	July 30, 2010 July 30, 2010
June 1, 2010 June 15, 2010	July 1, 2010 July 15, 2010	July 31, 2010 July 31, 2010	August 30, 2010 August 30, 2010
July 1, 2010 July 15, 2010	August 2, 2010 August 16, 2010	August 31, 2010 August 31, 2010	September 30, 2010 September 30, 2010
August 2, 2010 August 16, 2010	September 1, 2010 September 15, 2010	September 30, 2010 September 30, 2010	October 30, 2010 October 30, 2010
September 1, 2010 September 15, 2010	October 1, 2010 October 15, 2010	October 31, 2010 October 31, 2010	November 30, 2010 November 30, 2010
October 1, 2010 October 15, 2010	November 1, 2010 November 15, 2010	November 30, 2010 November 30, 2010	December 30, 2010 December 30, 2010

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2009), are available in the listed participating libraries, as selected by the Missouri State Library:

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Washington University Law Library Washington University Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
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	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.125 Hunting and Trapping. The commission proposes to amend sections (1) and (2), add paragraph (1)(B)18., renumber subsequent paragraphs, remove subsection (1)(C), re-letter subsequent subsections, and amend re-lettered subsection (1)(C) of this rule.

PURPOSE: This amendment prohibits hunting and trapping at Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8) and St Louis County (Jarville Lake), removes waterfowl hunting from Cameron (Reservoir No. 3), and removes the 1:00 p.m. closure for waterfowl hunting from Cameron (Grindstone Reservoir).

(1) Hunting, under statewide permits, seasons, methods, and limits, is permitted except as further restricted in this chapter and except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet **published in August** and annual *Spring Turkey Hunting Information* booklet. *These publications/ published in March, which* are incorporated **in this Code** by reference. A **printed** copy of these booklets can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180/. *They/ and* are also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center
2. Bethany (Old Bethany City Reservoir)
3. Buchanan County (Gasper Landing)
4. California (Proctor Park Lake)
5. Carthage (Kellogg Lake)
6. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake)
7. Dexter City Lake
8. Farmington (Giessing Lake, Hager Lake, Thomas Lake)
9. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake)
10. Hamilton City Lake
11. Harrisonville (North Lake)
12. Jackson (Rotary Lake)
13. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
14. James Foundation (Scioto Lake)
15. Jamesport City Lake
16. Kirksville (Spur Pond)
17. Lawson City Lake
- 18. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8)**
/18./19. Macon County (Fairgrounds Lake)
/19./20. Mexico (Lakeview Lake, Kiwanis Lake)
/20./21. Mineral Area College (Quarry Pond)
/21./22. Moberly (Rothwell Park Lake, Water Works Lake)
/22./23. Mount Vernon (Williams Creek Park Lake)
/23./24. Odessa (Lake Venita)
/24./25. Overland (Wild Acres Park Lake)
/25./26. Potosi (Roger Bilderback Lake)
/26./27. Rolla (Schuman Park Lake)
/27./28. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)
/28./29. St. Louis County (Bee Tree Lake, Creve Coeur Lake, Jarville Lake, Simpson Lake, Spanish Lake, Sunfish Lake)
/29./30. Savannah City Lake
/30./31. Sedalia (Clover Dell Park Lake)
/31./32. Sedalia Water Department (Spring Fork Lake)
/32./33. Springfield City Utilities (Lake Springfield)
/33./34. Warrensburg (Lion's Lake)
/34./35. Watershed Committee of the Ozarks (Valley Water Mill Lake)
/35./36. Windsor (Farrington Park Lake)

[(C) Firearms hunting is prohibited on Cameron (Reservoirs No. 1, 2, and 3, Grindstone Reservoir) except waterfowl hunting is permitted under statewide regulations until 1:00 p.m. on designated portions of Cameron (Reservoir No. 3, Grindstone Reservoir).]

*[(D)](C) Firearms hunting is prohibited on **Cameron (Reservoirs Nos. 1, 2, and 3, Grindstone Reservoir)** and Maysville (Willow Brook Lake), except waterfowl hunting is permitted under statewide regulations **on Cameron (Grindstone Reservoir) and Maysville (Willow Brook Lake).***

[(E)](D) On Mingo National Wildlife Refuge:

1. Squirrels may only be taken from the fourth Saturday in May

through September 30 in designated areas by hunters properly registered at the refuge or Duck Creek Conservation Area.

2. Waterfowl hunting is prohibited after 1:00 p.m. and on December 25.

3. Waterfowl may be taken only by holders of a valid area daily hunting tag and only from a blind or in a designated area, except that hunters may retrieve dead birds and pursue and shoot downed cripples outside the designated area.

4. Waterfowl hunters must check out immediately after the close of their hunting trip and prior to processing birds.

5. Nonhunters are prohibited within the shooting areas during the waterfowl hunting season unless they are members of and remain with a party authorized to use the area, except that portions of these areas may be open to fishing during all or part of the waterfowl season.

6. Hunting of wildlife other than waterfowl is prohibited, except in designated areas, from October 15 through the end of the prescribed waterfowl season.

[(F)](E) On the portion of Melvin Price Locks and Dam Pool 26, which has been designated a waterfowl refuge, shooting, hunting, and off-road vehicles are prohibited at all times.

[(G)](F) Waterfowl hunting is prohibited after 1:00 p.m. on Odessa (Odessa City Lake, Upper Odessa City Lake).

[(H)](G) On Springfield City Utilities (Fellows Lake):

1. Hunting of wildlife other than waterfowl is prohibited, except in designated areas, from October 15 through the end of the prescribed waterfowl season.

2. Waterfowl hunting is permitted except as further restricted in this chapter. Statewide permits, seasons, methods, and limits apply unless otherwise provided in this chapter.

3. Waterfowl hunting is permitted until 1:00 p.m. Waterfowl hunters must check out immediately after the close of their hunting trip and prior to processing birds by accurate completion and return of the daily waterfowl hunting tag to designated locations.

4. Blinds and/or blind sites shall be designated and allotted through a system of registration and drawing established by the department. Blinds must be constructed within fifty (50) yards of an assigned site only during the dates assigned by the department. Blinds may be constructed using willows (*Salicaceae*), cedar (*Juniperus virginiana*), and non-woody vegetation collected on-site.

5. Waterfowl may be taken only by holders of a valid area daily waterfowl hunting tag and only from a designated blind or blind site, except that hunters may retrieve dead birds and pursue and shoot downed cripples. Blinds or blind sites may not be locked, transferred, rented, or sold. After 6:00 a.m., unoccupied blinds may be used by the first hunter to arrive.

6. Nonhunters are prohibited within the shooting areas during the waterfowl hunting season unless they are members of, and remain with, a party authorized to use the area, except that the north arm of the lake from a line extending from the point separating the north and south arms of the lake to the north end of the buoy line nearest the dam is open to fishing during all or part of the waterfowl season.

[(I)](H) All hunting is closed on Smithville Lake Waterfowl Refuge from October 15 through January 31 in units designated by posting.

(2) Deer and turkey may be hunted on any area managed by the department under cooperative agreement and as authorized in the *[annual] current Fall Deer & Turkey Hunting Regulations and Information* booklet and *[annual] current Spring Turkey Hunting Information* booklet.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 12, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 2—Practice and Procedure

PROPOSED AMENDMENT

4 CSR 240-2.070 Complaints. The commission is adding new sections (13) and (14) to create a simplified complaint process to handle small complaints by consumers against the public utilities that provide service to them.

PURPOSE: The commission is amending the rule to create a small formal complaint process. The new rule is intended to provide an improved process for addressing disputes between utilities and their customers by reducing formality or procedural barriers, by expediting commission decisions, and by making the locations of the hearing of the disputes more convenient to the customer.

(13) When a judgment is rendered disposing of a case, the regulatory law judge shall cause the parties to be notified that the judgment will be final unless an application for rehearing is filed within the allotted number of days and provide information regarding the rehearing and appeal process.

(14) Small Formal Complaint Case. When a formal complaint is filed by a person regarding any dispute involving less than three thousand dollars (\$3,000), the provisions of sections (1)–(13) of this rule shall apply unless they are in direct conflict with the provisions of this section, in which case, the provisions of this section shall apply. Additionally, the following process shall be followed for such complaints:

(A) Upon the filing of a complaint which qualifies under this section, the secretary of the commission shall serve by certified mail, postage prepaid, a copy of the complaint upon the person, corporation, or public utility against whom the complaint has been filed, which shall be accompanied by a notice that the matter complained of be satisfied or that the complaint be answered by the respondent, unless otherwise ordered, within thirty (30) days of the date of the notice. Failure to timely answer may result in the complainant's averments being deemed admitted and an order granting default entered. The respondent has seven (7) days from the issue date of the order granting default to file a motion to set aside the order of default and extend the filing date of the answer. The regulatory law judge may grant the motion to set aside the order of default and grant the respondent additional time to answer if good cause is shown;

(B) Upon the filing of a complaint which qualifies under this section, the secretary of the commission shall open a case and alert the commission to the existence of the case. The commission may, by order, reserve the right to hear and decide such small formal complaints as it deems fit. Should the commission issue such an order, the complaint shall no longer qualify for treatment under this section;

(C) Upon the filing of a complaint that qualifies under this section, the chief regulatory law judge shall assign the case to a regulatory law judge. To process small complaint cases in the timeliest manner and in the most convenient location for the customers, the commission hereby delegates the commission's authority to hear the case, make rulings, and issue a report and order or other appropriate order disposing of the case to such regulatory law judge;

(D) The commission staff shall serve as an advisor to the judge and shall not act as an advocate. The commission staff shall, within forty-five (45) days, investigate the complaint and file a report detailing staff's findings and recommendations;

(E) Any hearing, unless otherwise agreed to by the parties, shall be held in the county, or a city not within a county, where the subject utility service was rendered or within thirty (30) miles of where the service was rendered;

(F) Small formal complaint case hearings shall be conducted in an informal summary manner whenever possible and without affecting the rights of the parties:

1. The formal rules of evidence and procedure shall not apply;

2. The regulatory law judge shall have the authority to dispense with pre-filed written testimony; and

3. The regulatory law judge shall assume an affirmative duty to determine the merits of the claims and defenses of the parties and may question parties and witnesses;

(G) The regulatory law judge, after affording the parties reasonable opportunity for discovery and a fair hearing, shall issue a report and order within one hundred (100) days following the filing of the complaint, unless the regulatory law judge finds due process requires additional time or the extension is otherwise agreed to by the parties. Any such report and order shall have an effective date of no less than ten (10) days following issuance;

(H) Any party subject to an order disposing of the case or a report and order issued by a regulatory law judge under this section may file with the commission, prior to its effective date, an application for rehearing to have such report and order reviewed by the commission. Such application shall contain specific detailed grounds upon which it claims the report and order is unlawful, unjust, or unreasonable. The commission may summarily allow or deny an application for rehearing with or without hearing. If a rehearing is granted, the commission may review the case de novo or limit the scope of review or issues under review by order prior to rehearing. The commission may affirm, modify, reverse, or set aside the report and order issued by the regulatory law judge on the basis of the evidence previously submitted in such case, may take additional evidence, issue a report and order, or may remand the matter to the regulatory law judge with directions; and

(I) If an application for rehearing is denied, the report and order of the regulatory law judge shall be deemed to be the final decision of the commission for the purpose of judicial review, pursuant to section 386.500, RSMo.

AUTHORITY: section 386.410, RSMo [Supp. 1998] 2000. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 24, 2010.

PUBLIC COST: This proposed amendment will cost affected state agencies or political subdivisions approximately two thousand dollars (\$2,000) in the aggregate.

PRIVATE COST: This proposed amendment will not cost affected private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition

to this proposed amendment with the Missouri Public Service Commission, Steven C. Reed, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 2, 2010, and should include a reference to Commission Case No. AX-2010-0249. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/case-filing-information>. A public hearing regarding this proposed amendment is scheduled for June 3, 2010, at 2:00 p.m. in Room 305 of the commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 (voice) or Relay Missouri at 711.

FISCAL NOTE**PUBLIC COST****I. RULE NUMBER**

Rule Number and Name	Type of Rulemaking
4 CSR 240-2.070 New Procedures for small complaints under \$3000	Proposed Amendment to Rule 4 CSR 240-2.070

II. SUMMARY OF FISCAL IMPACT

State agencies or political subdivisions that will likely be affected by adoption of the proposed rule.	Estimated aggregate cost of compliance with the proposed rule by the affected entities.
Public Service Commission Office of the Public Counsel	Approximately \$2,000. for travel expenses.

III. WORKSHEET

Not Applicable

IV. ASSUMPTIONS

If adopted, this proposed rule provides that hearings on small complaints involving less than \$3,000 will be heard in the area where the complaining customer takes utility services. Small companies and customers will not be required to travel to Jefferson City for the proceedings. A Regulatory Law Judge will travel to the location where the customer is located and hold a hearing in that area.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax**

PROPOSED AMENDMENT

12 CSR 10-103.390 Veterinary Transactions. The director proposes to amend subsections (2)(B) and (4)(A)–(4)(D) and add new subsections (4)(E) and (4)(F).

PURPOSE: This amendment updates the definition of prescription drug to modern terminology, changes four (4) examples to be gender neutral, and adds two (2) examples to further exemplify the rule.

(2) Definition of Terms.

(B) Prescription drug—[controlled drug available by order of a physician's or veterinarian's prescription] **a drug administered, prescribed, or dispensed only by or upon a lawful written or oral prescription or order of a licensed veterinarian.** A prescription must exhibit one (1) of the following legends:

1. "[Caution: Federal law prohibits dispensing without prescription] **Rx Only**"; or

2. "Caution: Federal law restricts this drug to be used by or on order by a licensed veterinarian."

(4) Examples.

(A) [Dr. Kassady] **A veterinarian** purchased an examining table and operating supplies for [her veterinarian] **the veterinary practice.** The purchase is subject to tax.

(B) [Dr. Kassady] **A veterinarian** sells dog food at retail. [She] **and** also operates a kennel. [Dr. Kassady] **The veterinarian** feeds the dogs in [her] **the** kennel the same dog food [she] **the veterinarian** purchases exempt for resale. When [Dr. Kassady] **the veterinarian** removes the food from inventory to use in **the** kennel, tax is due.

(C) [Dr. Kassady] **A veterinarian** sells a poultry farmer nonprescription vaccines for use on turkeys raised for the production of food. The farmer also purchases vaccines for [his] **the farmer's** pets. The vaccines for the poultry are exempt; however, the vaccines for the pets are subject to sales tax.

(D) [Dr. Kassady] **A veterinarian** purchases surgical tools bearing the label "For sale to licensed veterinarians" to use in [her] **the** practice. This purchase is subject to tax.

(E) **A customer takes a sick cat to the veterinarian. The veterinarian examines the cat and gives the cat an antibiotic shot and gives the customer a bottle of eye drops to administer twice a day for two (2) weeks starting tomorrow. The bill reads as follows: office visit \$25; antibiotic shot \$15; eye drops \$12; total \$52. There is no tax due on the shot or eye drops because the veterinarian uses them in providing the service. The veterinarian must pay tax on the purchase of the nonprescription eye drops.**

(F) **A veterinarian has items for sale in the waiting room area including pet food, flea collars, and shampoos. A customer purchases a flea collar for his/her dog. The veterinarian must collect tax on the sale of the flea collar.**

AUTHORITY: sections 144.270, RSMo Supp. 2009 and 144.705, RSMo [1994] 2000. Original rule filed Nov. 10, 1999, effective May 30, 2000. Amended: Filed March 23, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation,
Reimbursement and Procedure of General Applicability**

PROPOSED RULE

13 CSR 70-3.200 Ambulance Service Reimbursement Allowance

PURPOSE: This rule establishes the formula for determining the Ambulance Service Reimbursement Allowance each ground emergency ambulance service must pay, except for any ambulance service owned and operated by an entity owned or operated by the board of curators, as defined in Chapter 172, RSMo, or any department of the state, in addition to all other fees and taxes now required or paid, for the privilege of engaging in the business of providing ground emergency ambulance services in Missouri.

(1) Ambulance Service Reimbursement Allowance shall be assessed as described in this section.

(A) Definitions.

1. Ambulance. Ambulance shall have the same meaning as such term is defined in section 190.100, RSMo.

2. Department. Department of Social Services.

3. Director. Director of the Department of Social Services.

4. Division. MO HealthNet Division.

5. Gross receipts. Emergency ambulance revenue from Medicare, Medicaid, insurance, and private payments received by an ambulance service licensed under section 190.109, RSMo (or by its predecessor in interest following a change of ownership). Revenue from CPT Code A0427/A0425 ambulance service, advanced life support, emergency transport, level 1 (ALS1—emergency), and associated ground mileage; CPT Code A0429/A0425 ambulance services, basic life support, emergency transport (BLS—emergency), and associated ground mileage; and CPT Code A0433/A0425 advanced life support, level 2 (ALS2), and associated ground mileage.

6. Engaging in the business of providing ambulance services. Accepting payment for ambulance services as such term is defined in section 190.100, RSMo.

(B) Beginning July 1, 2009, each ground emergency ambulance services provider in this state, except for any ambulance service owned and operated by an entity owned and operated by the state of Missouri, including but not limited to any hospital owned or operated by the board of curators, as defined in Chapter 172, RSMo, or any department of the state, shall, in addition to all other fees and taxes now required or paid, pay an ambulance service reimbursement allowance for the privilege of engaging in the business of providing ambulance services as defined in section 190.100, RSMo. Gross receipts shall be obtained by the division from a survey conducted six (6) months after calendar year end (i.e., calendar year 2009 revenue will be obtained through survey sent out by the state in June 2010). Collection of the ambulance service reimbursement allowance shall begin in state fiscal years 2010 and 2011 based on gross receipts collected in calendar year 2008. Collection of the ambulance service reimbursement allowance beginning with state fiscal year (SFY) 2012 and thereafter shall be based on gross receipts collected in a third prior calendar year (i.e., state fiscal year 2012 shall be based on gross receipts collected in calendar year 2009).

1. The ambulance service reimbursement allowance owed for currently licensed emergency ambulance providers as defined in section 190.100, RSMo, shall be calculated by multiplying the ambulance service reimbursement allowance tax rate by the gross receipts, as defined above in paragraph (1)(A)5.

A. Exceptions.

(1) For emergency ambulance providers without reported survey data, the gross receipts used to determine the ambulance service reimbursement allowance shall be estimated as follows:

(a) Emergency ambulance providers shall be divided into quartiles based on total emergency ambulance transports;

(b) Gross receipts shall be individually summed and divided by the total emergency ambulance transports in the quartile to yield an average gross receipt per emergency ambulance transport; and

(c) The number of emergency ambulance transports as reported to the Department of Health and Senior Services (Bureau of Emergency Medical Services (BEMS) data) as required by 19 CSR 30-40.375(3) for the emergency ambulance provider without reported survey data shall be multiplied by the average gross receipts per emergency ambulance transport.

(C) The Department of Social Services shall provide each emergency ambulance provider with a final determination letter. The letter shall include emergency ambulance provider name, National Provider Identifier (NPI) number, total emergency ambulance gross receipts, ambulance service reimbursement allowance tax rate, and annual tax amount.

1. Each emergency ambulance provider required to pay the ambulance service reimbursement allowance shall review the information in the letter and, if necessary, provide the department with correct information. If the information supplied by the department is incorrect, the emergency ambulance provider, within fifteen (15) calendar days of receiving the confirmation schedule, must notify the division and explain the corrections. If the division does not receive corrected information within fifteen (15) calendar days, it will be assumed to be correct, unless the emergency ambulance provider files a protest in accordance with subsection (1)(E) of this regulation.

(D) Payment of the Ambulance Service Reimbursement Allowance.

1. Offset. Each emergency ambulance provider may request that its ambulance service reimbursement allowance be offset against any Missouri Medicaid payment due to that emergency ambulance provider. A statement authorizing the offset must be on file with the division before any offset may be made relative to the ambulance service reimbursement allowance by the emergency ambulance provider. Assessments shall be allocated and deducted over the applicable service period. Any balance due after the offset shall be remitted by the emergency ambulance provider to the department. The remittance shall be made payable to the director of the Department of Revenue and deposited in the state treasury to the credit of the ambulance service reimbursement allowance fund. If the remittance is not received before the next MO HealthNet payment cycle, the division shall offset the balance due from that check.

2. Check. If no offset has been authorized by the emergency ambulance provider, the division will begin collecting the ambulance service reimbursement allowance on the first day of each month. The ambulance service reimbursement allowance shall be remitted by the emergency ambulance provider to the department. The remittance shall be made payable to the director of the Department of Revenue and deposited in the state treasury to the credit of the ambulance service reimbursement allowance fund.

3. Failure to pay the ambulance service reimbursement allowance. If an emergency ambulance provider fails to pay its ambulance service reimbursement allowance within thirty (30) days of notice, the ambulance service reimbursement allowance shall be delinquent. For any delinquent ambulance service reimbursement allowance, the department may compel the payment of such reimbursement allowance in the circuit court having jurisdiction in the county where the main office of the emergency ambulance provider is located. In addition, the director of the Department of Social Services or the director's designee may cancel or refuse to issue, extend, or reinstate an emergency ambulance provider agreement to any

emergency ambulance provider that fails to pay such delinquent reimbursement allowance required unless under appeal.

(E) Each emergency ambulance provider, upon receiving written notice of the final determination of its ambulance service reimbursement allowance, may file a protest with the director of the department setting forth the grounds on which the protest is based, within thirty (30) days from the date of receipt of written notice from the department. The director of the department shall reconsider the determination and, if the emergency ambulance provider so requested, the director or the director's designee shall grant the emergency ambulance provider a hearing to be held within forty-five (45) days after the protest is filed, unless extended by agreement between the emergency ambulance provider and the director. The director shall issue a final decision within forty-five (45) days of the completion of the hearing. After a final decision by the director, an emergency ambulance provider's appeal of the director's final decision shall be to the Administrative Hearing Commission in accordance with sections 208.156 and 621.055, RSMo.

(2) Ambulance Service Reimbursement Allowance Rate for SFY 2010 and SFY 2011. The ambulance service reimbursement allowance rate for SFY 2010 and SFY 2011 determined by the division, as set forth in subsection (1)(B) above, is as follows:

(A) The ambulance service reimbursement allowance rate shall be five and forty-five hundredths percent (5.45%) of gross receipts as determined in paragraph (1)(A)5. above. No ambulance service reimbursement allowance shall be collected by the Department of Social Services if the federal Centers for Medicare and Medicaid Services (CMS) determines that such reimbursement allowance is not authorized under Title XIX of the Social Security Act.

AUTHORITY: sections 190.836 and 208.201, RSMo Supp. 2009. Original rule filed March 19, 2010.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate for SFY 2010.

PRIVATE COST: This proposed rule will cost emergency ambulance providers approximately \$9,999,097 in SFY 2010.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Department of Social Services
Division Title: MO HealthNet Division
Chapter Title: Hospital Program

Rule Number and Title:	13 CSR 70-3.200 Ambulance Service Reimbursement Allowance
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
214	Emergency Ambulance Providers	Estimated cost for SFY 2010 \$ 9,999,097

III. WORKSHEET

The fiscal note is based on establishing the Ambulance Service Reimbursement Allowance assessment rate at 5.45% effective for SFY 2010.

IV. ASSUMPTIONS

The Ambulance Service Reimbursement Allowance assessment rate of 5.45% is levied upon Emergency Ambulance Providers' gross receipts of approximately \$183,469,664.

Gross receipts is emergency ambulance revenue from Medicare, Medicaid, insurance, and private payments from CPT Code AO427/AO425 Ambulance service, advanced life support, emergency transport, level 1 (ALS1- emergency) and associated ground mileage; CPT code A0429/A0425 Ambulance services, basic life support, emergency transport (BLS – emergency) and associated ground mileage; and CPT Code A0433/A0425 Advanced life support, Level 2 (ALS2) and associated ground mileage.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 90—Home Health Program

PROPOSED AMENDMENT

13 CSR 70-90.010 Home Health-Care Services. The division is amending sections (1) and (3)–(8).

PURPOSE: This rule is being amended to comply with a change required by the administrator of the Centers for Medicare and Medicaid Services.

(1) An otherwise eligible MO HealthNet participant is eligible for MO HealthNet reimbursement on his/her behalf for home health services if all the conditions of subsections (1)(A)–~~(D)~~(C) are met—

~~(B)~~ *The participant is confined to his/her home in accordance with section (3);*

~~(C)~~(B) The services are prescribed by a physician and provided in accordance with a plan of care which clearly documents the need for services and is reviewed by the physician at least every sixty (60) days; and

~~(D)~~(C) The services are provided in the participant's place of residence by a qualified person in the employ of or under contract to a Medicare-certified home health agency which is also licensed by Missouri and enrolled with the MO HealthNet program.

[(3) A participant will be considered to be confined to his/her home in accordance with subsection (1)(B), if s/he has a condition due to an injury or illness which restricts his/her ability to leave his/her place of residence except with the aid of supportive devices, the use of special transportation or the assistance of another person, or if s/he has a condition which is such that leaving his/her home or traveling to obtain the needed healthcare is medically contraindicated. A participant will not need to be bedridden in order to meet this requirement. Further, a participant may be considered homebound even if s/he occasionally leaves home for nonmedical purposes, as long as these absences are infrequent, or relatively short duration, and do not indicate that the participant has the capacity to obtain the needed care on an outpatient basis in a physician's office, outpatient clinic, or other health-care facility. In addition, children at serious risk of early developmental delay due to low birth weight or lack of normal expected physiological development, for whom a vigilant and responsive family environment is critical for treatment, will be considered homebound when the skilled intervention of a nurse is required on-site to create and sustain this environment. This nursing care must otherwise meet the requirements of this rule and must not duplicate services which could effectively be provided in a physician's office or clinic.]

~~[(4)]~~(3) Services included in MO HealthNet home health coverage are those set forth in paragraph (1)(A)1. or subparagraph (1)(A)2.B. and, in addition, the intermittent services of a home health aide and the provision of nonroutine supplies identified as specific and necessary to the delivery of a participant's nursing care and prescribed in the plan of care. These additional services are covered only if all the conditions of subsections (1)(A)–~~(D)~~(C) are met. Necessary items of durable medical equipment prescribed by the physician as a part of the home health service are available to participants of home health services through MO HealthNet subject to the limitations of amount, duration, and scope where applicable. The home health agency must coordinate with the durable medical equipment provider to ensure the durable medical equipment provider has a copy of the home health plan of care for provision of the durable medical equipment prescribed.

~~[(5)]~~(4) The services of a home health aide must be needed concurrently with skilled nursing or physical, occupational, or speech therapy services which meet the requirements in subsections (1)(A)–~~(D)~~(C). The services of the aide must be reasonable and necessary to maintain the participant at home and there must be no other person available who could and would perform the services. The duties of the aide shall include the performance of procedures such as, but not limited to, the extension of covered therapy services, personal care, ambulation, and exercise and certain household services essential to health care. The services of the aide must be supervised by a registered nurse or other appropriate professional staff member, whose visits will not be separately reimbursed unless a covered skilled nursing or therapy service as prescribed on the plan of care is performed concurrently.

~~[(6)]~~(5) The unit of service for both professional and home health aide services is a visit. A visit is a personal contact for a period of time, not to exceed three (3) continuous hours, in the patient's place of residence, made for the purpose of providing one (1) or more covered home health services. The combined total of all skilled nurse and home health aide visits reimbursed on behalf of a MO HealthNet participant may not exceed one hundred (100) visits per calendar year.

(A) Where two (2) or more staff are visiting concurrently to provide a single type of service, or where one (1) staff provides more than one (1) type of service or where one (1) staff is present in the home only to supervise another, only one (1) visit is reimbursable by MO HealthNet.

(B) Unless the plan of care documents a specific need for more than one (1) visit per day, MO HealthNet will reimburse only one (1) visit per day for each of the following: skilled nurse, home health aide, physical therapist, occupational therapist, or speech therapist.

(C) When more than one (1) visit per day is medically required and documented by the plan of care, each single visit will be counted toward the combined total limit of one hundred (100). Documentation submitted with a claim supporting extended daily visits, multiple visits per day, or both does not override the one hundred (100) visit per calendar year limitation. For example: A patient requires a visit for a procedure that takes one (1) hour in the morning and requires another visit for a procedure that takes one (1) hour in the afternoon. Each visit may be reimbursed, but two (2) visits will be counted toward that participant's total home health visits for that year.

~~[(7)]~~(6) To be reimbursed by MO HealthNet, all home health services and supplies must be provided in accordance with a written plan of care authorized by the participant's physician. The criteria for the development of the written plan of care and changes to the written plan of care through interim order(s) are described in Sections 13.14C, 13.14D, 14.2, 14.3, 14.4, and 14.5 of the home health provider manual, which are incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at www.dss.mo.gov/mhd, *[September 15, 2009]* **May 1, 2010**. This rule does not incorporate any subsequent amendments or additions. Paper copies of plans of care and interim orders must be submitted with paper claims. If the claim is submitted electronically, the plan of care and interim order(s) must be submitted as an electronic attachment through the claim. Information from the plan of care and interim order(s) must be included in the appropriate data fields when the provider is submitting an electronic claim. Plans of care and interim order(s) are to be maintained in the client record.

~~[(8)]~~(7) Skilled therapy services will be considered reasonable and necessary for treatment if the conditions of paragraphs ~~[(8)]~~(7)(A)1.–4. are met.

(A) The services—

1. Must be consistent with the nature and severity of the illness

or injury and the participant's particular medical needs;

2. Must be considered, under accepted standards of medical practice, to be specific and effective treatment for the patient's condition;

3. Must be provided with the expectation of good potential for rehabilitation, based on assessment made by the participant's physician; and

4. Are necessary for the establishment of a safe and effective maintenance program, or for teaching and training a caregiver.

(B) Therapy services may be delivered for one (1) certification period (up to sixty-two (62) days), if services are initiated within sixty (60) days of onset of the condition or within sixty (60) days from date of discharge from the hospital, if the participant was hospitalized for the condition. Prior authorization to continue therapy services beyond the initial certification period may be requested by the home health provider. Prior authorization requests will be reviewed by the MO HealthNet Division, and approval or denial of the continuation of services will be based on the following criteria:

1. The service must be consistent with the nature and severity of the illness or injury and the participant's particular medical needs;

2. The services are considered, under accepted standards of medical practice, to be specific and effective treatment for the patient's condition; **and**

3. The services must be provided with the expectation, based on the assessment made by the attending physician, *[of] that* the participant's condition will improve materially in a reasonable and generally predictable period of time, or are necessary to the establishment of a safe and effective maintenance program; *and*].

[4. The participant continues to be medically home-bound as defined in section (3) of this rule.]

AUTHORITY: sections 208.152, 208.153, and 208.201, RSMo Supp. [2008] 2009. This rule was previously filed as 13 CSR 40-81.056. Original rule filed April 14, 1982, effective July 11, 1982. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 1, 2010.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions an estimated five hundred sixty-eight thousand seven hundred twenty dollars (\$568,720) annually.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the **Missouri Register**. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 90 – Home Health Program

Rule Number and Name:	13 CSR 70-90.010 Home Health-Care Services
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, MO HealthNet Division	Estimated annual cost = \$568,720

III. WORKSHEET

Additional home health units resulting from lifting of homebound requirement	37,154
Home health cost per unit	\$ 64.15
Subtotal	2,383,422
FY11 state match	36.71%
Subtotal costs	<u>\$ 874,954</u>
Savings from reduced hospital days – 25.00%	(\$ 218,739)
Savings from nursing facilities – 10.00%	(\$ 87,495)
Total estimated annual cost	<u>\$ 568,720</u>

IV. ASSUMPTIONS

MHD assumed that lifting the homebound requirement would produce a 25% savings in reduced hospital days and a 10% savings from nursing facilities.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 45—Records Management**

PROPOSED AMENDMENT

15 CSR 30-45.040 Missouri Historical Records Advisory Board (MHRAB) Regrant Program Administration. Subsection (1)(B) is being deleted to allow eligibility for this grants-in-aid program to include all jurisdictions supported by tax levies; subsection (1)(C) Procedures and Evaluations of Applications will then become subsection (1)(B); and in paragraph (1)(B)3., the year designation for the *Missouri Historical Records Grant Program Guidelines and Application* will be amended.

PURPOSE: This amendment increases the number of entities eligible for the MHRAB's grants-in-aid program and revises the date of the program guidelines and application packet.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The Missouri Historical Records Grant Program, administered by the Office of the Secretary of State, on behalf of the Missouri Historical Records Advisory Board, provides financial assistance to historical records repositories to support cooperative strategies, education for records keepers, and preservation and expanded access to records. This grants-in-aid program is a significant effort in the overall mission of the agency to enhance the quality of archival preservation and public access to records of historical value.

[(B) Local government entities are ineligible as the Local Records Preservation Program (initiated in 1991) offers direct help for records preservation and management to all jurisdictions supported by tax levies.]

[(C)](B) Procedures and Evaluation of Applications.

1. The Missouri Historical Records Advisory Board (MHRAB) recommends grant:

A. Activities, requirements, and objectives;

B. Cost-sharing contributions, budget structure, payment benchmarks, and accounting guidelines; and

C. Calendars.

2. The MHRAB reviews and evaluates applications[,] and makes awards in the program.

3. The process to be followed in writing and submitting a grant proposal is found in the *Missouri Historical Records Grant Program Guidelines and Application [2003-2004] 2010-2011, which is incorporated by reference, and published by the secretary of state and available on the secretary of state website: www.sos.mo.gov. Paper copies are available from the Missouri Historical Records Grant Program, PO Box 1747, Jefferson City, MO 65102, (573) 751-4303. This material contains no later amendments or additions.*

AUTHORITY: sections 109.221.3 and 109.221.5, RSMo 2000. Original rule filed Oct. 6, 2000, effective April 30, 2001. Rescinded and readopted: Filed Oct. 6, 2003, effective April 30, 2004. Amended: Filed April 1, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Secretary of State, 600 West Main Street, Jefferson City MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 500—Property and Casualty
Chapter 2—Automobile Insurance**

PROPOSED AMENDMENT

20 CSR 500-2.300 Cancellation and Nonrenewal of Automobile Insurance. The department is amending subsection (2)(A) by deleting an outdated abbreviation and adding the updated name and abbreviation for the department and amending subsection (6)(A) by deleting the reference to the Missouri Joint Underwriting Association and substituting a reference to the Missouri Automobile Insurance Plan.

PURPOSE: This amendment updates references in the rule text to reflect the current name for the Department of Insurance, Financial Institutions and Professional Registration (DIFP) and the replacement of the Missouri Joint Underwriting Association by the Missouri Auto Insurance Plan (AIP).

(2) Statutory Standards for Applicants.

(A) Any insurer that insures only a particular class of persons or operates within a specific geographical area must file with the Missouri Department of Insurance [(MDI)], **Financial Institutions and Professional Registration (DIFP)** a statement signed by an officer which specifies the exact criteria for membership in that class or defines by inclusion or exclusion that specific geographical area.

(6) Joint Underwriting Association.

(A) Any notice of cancellation, nonrenewal, or refusal to write a policy must contain the following notice or a notice substantially similar to: "You may obtain automobile insurance through the Missouri [Joint Underwriting Association (JUA)] **Automobile Insurance Plan (AIP)** if you qualify. We urge you to contact any insurance producer of your choice immediately for further information."

AUTHORITY: sections 303.170-303.210 and 379.470, RSMo 2000, section 374.045, RSMo Supp. 2009, and sections 379.110-379.120, RSMo 2000 and Supp. 2009. This rule was previously filed as 4 CSR 190-17.050. Original rule filed Feb. 26, 1975, effective March 8, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 22, 2010.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Andy Heitmann, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee's Responsibilities**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

11 CSR 45-10.040 Prohibition and Reporting of Certain Transactions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 99-100). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under

section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

11 CSR 45-11.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 100-102). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. A written comment was received at the public hearing from Mike Winter, Executive Director, on behalf of the Missouri Gaming Association.

COMMENT: "Under the current regulation and as proposed in the amendment the Class B Licensee must establish two separate accounts to maintain its estimated liability for gaming taxes and admission fees. Rather than being required to maintain two separate accounts for these funds, we would request the Commission consider modifying the proposed amendment to allow for these funds to be consolidated into one account. We are not requesting any change be made in the amount to be deposited but only that both gaming tax and admission liabilities be allowed to be deposited into a single account."

RESPONSE AND EXPLANATION OF CHANGE: The commission has no objection and will amend the rule to allow for the funds to be deposited into a single account.

11 CSR 45-11.020 Deposit Account—Taxes and Fees

(6) Each Class B licensee, as a condition of licensure, shall deposit into one (1) account an amount sufficient to cover its estimated liability for the gaming tax and the admission fee imposed by section 313.820, RSMo, representing the average liability for the gaming tax and the admission fee for two (2) days of operation. This account shall be designated, in substance, by the following language: "*Name of licensee*, for the benefit of the Missouri Gaming Commission."

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

11 CSR 45-11.030 Payment—Gaming Tax is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 103). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

11 CSR 45-11.050 Admission Fee is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 103). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

**11 CSR 45-11.070 Return and Payment—Admission Fee
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 103-104). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2009, the commission amends a rule as follows:

**11 CSR 45-11.130 Failure to File Return or Pay Tax or Fee
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2010 (35 MoReg 104). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on February 17, 2010, and the public comment period ended on February 17, 2010. No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.431.3(5), RSMo Supp. 2009, the director amends a rule as follows:

**12 CSR 10-2.045 Missouri Consolidated Income Tax Returns
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 4, 2010 (35 MoReg 13). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 198.401, 198.403, 198.406, 198.409, 198.412, 198.416, 198.418, 198.421, 198.424, 198.427, 198.431, 198.433, 198.436, and 208.159, RSMo 2000, and sections 198.439, 208.153, and 208.201, RSMo Supp. 2009, the division amends a rule as follows:

**13 CSR 70-10.110 Nursing Facility Reimbursement Allowance
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 4, 2010 (35 MoReg 13-16). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2009 and sections 208.453 and 208.455, RSMo 2000, the division amends a rule as follows:

**13 CSR 70-15.110 Federal Reimbursement Allowance (FRA)
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 4,

2010 (35 MoReg 17–18). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 20—Pharmacy Program

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.201 and 338.505, RSMo Supp. 2009, the division amends a rule as follows:

13 CSR 70-20.320 Pharmacy Reimbursement Allowance
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 4, 2010 (35 MoReg 19–20). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Trustees of the Missouri Local Government Employees’ Retirement System under section 70.605.21, RSMo Supp. 2009, the board rescinds a rule as follows:

16 CSR 20-2.080 Workers’ Compensation Service Credit
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 15, 2010 (35 MoReg 104). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **July 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Trustees of the Missouri Local Government Employees’ Retirement System under section 70.605.21, RSMo Supp. 2009, the board adopts a rule as follows:

16 CSR 20-2.080 Determination of Credited Service for Periods
of Absence is adopted.

A notice of proposed rulemaking containing the text of the proposed

rule was published in the *Missouri Register* on January 15, 2010 (35 MoReg 104–105). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective **July 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2150—State Board of Registration for the
Healing Arts
Chapter 5—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and section 338.010, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2150-5.025 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2009 (34 MoReg 2540–2542). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on the proposed amendment.

COMMENT #1: Pursuant to the joint rulemaking requirements established by section 338.010, RSMo, the State Board of Registration for the Healing Arts received a comment regarding the cardio-pulmonary resuscitation (CPR) training required by the amended rule. Under the current rule, licensees are authorized to obtain CPR training via the American Heart Association, the American Red Cross, or an “equivalent” entity. The proposed amendment sought to remove the term “equivalent” and would have limited the acceptable CPR training providers to only the entities designated. The commenter indicated that competent CPR training courses are offered by entities other than the American Heart Association and the American Red Cross, including entities that have been recognized by other branches of state and/or federal government as a CPR training provider. The commenter submitted copies of recognition letters from other Missouri agencies and requested that the board retain the current language that would allow the board to approve an “equivalent” CPR training provider.

RESPONSE AND EXPLANATION OF CHANGE: The change was originally proposed to eliminate the need for individual approval of CPR programs by recognizing the CPR training providers most widely recognized by the healthcare industry and currently submitted by the majority of pharmacists notifying the board. The board recognizes the current and potential availability of other acceptable and competent CPR training programs. Accordingly, the board agrees with the recommendation and has amended the proposed amendment to reflect the change.

COMMENT #2: The board received comments from board staff and members of the public in regards to limiting the qualifying vaccine certification programs to those accredited by the Accreditation Council for Pharmacy Education (ACPE). The comments indicated that other nationally- and well-established pharmaceutical and medical training programs exist that are currently providing comprehensive pharmacist vaccination training programs that would be acceptable to the board. Significantly, some of these programs may have previously been approved by ACPE and are currently accepted by the

board. Accordingly, the suggestion was made to retain the board's ability to approve vaccination certification programs other than those accredited by ACPE.

RESPONSE AND EXPLANATION OF CHANGE: The board reviewed and agreed with the recommendation and has amended the proposed amendment to reflect the change.

20 CSR 2150-5.025 Administration of Vaccines Per Protocol

(4) Pharmacist Qualifications. A pharmacist who is administering a vaccine authorized by Chapter 338, RSMo, must:

(B) Hold a current cardiopulmonary resuscitation (CPR) certification issued by the American Heart Association or the American Red Cross or equivalent;

(C) Successfully complete a certificate program in the administration of vaccines accredited by the Accreditation Council for Pharmacy Education (ACPE) or a similar health authority or professional body approved by the State Board of Pharmacy;

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2220—State Board of Pharmacy Chapter 6—Pharmaceutical Care Standards

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo 2000 and sections 338.010 and 338.220, RSMo Supp. 2009, the board amends a rule as follows:

20 CSR 2220-6.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2009 (34 MoReg 2542-2544). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on the proposed amendment.

COMMENT #1: Pursuant to the joint rulemaking requirements established by section 338.010, RSMo, the State Board of Registration for the Healing Arts received a comment regarding the cardio-pulmonary resuscitation (CPR) training required by the amended rule. Under the current rule, licensees are authorized to obtain CPR training via the American Heart Association, the American Red Cross, or an "equivalent" entity. The proposed amendment sought to remove the term "equivalent" and would have limited the acceptable CPR training providers to only the entities designated. The commenter indicated that competent CPR training courses are offered by entities other than the American Heart Association and the American Red Cross, including entities that have been recognized by other branches of state and/or federal government as a CPR training provider. The commenter submitted copies of recognition letters from other Missouri agencies and requested that the board retain the current language that would allow the board to approve an "equivalent" CPR training provider.

RESPONSE AND EXPLANATION OF CHANGE: The change was originally proposed to eliminate the need for individual approval of CPR programs by recognizing the CPR training providers most widely recognized by the healthcare industry and currently submitted by the majority of pharmacists notifying the board. The board recognizes the current and potential availability of other acceptable and competent CPR training programs. Accordingly, the board agrees with the recommendation and has amended the proposed amendment to reflect the change.

COMMENT #2: The board received comments from board staff and members of the public in regards to limiting the qualifying vaccine certification programs to those accredited by the Accreditation Council for Pharmacy Education (ACPE). The comments indicated that other nationally- and well-established pharmaceutical and medical training programs exist that are currently providing comprehensive pharmacist vaccination training programs that would be acceptable to the board. Significantly, some of these programs may have previously been approved by ACPE and are currently accepted by the board. Accordingly, the suggestion was made to retain the board's ability to approve vaccination certification programs other than those accredited by ACPE.

RESPONSE AND EXPLANATION OF CHANGE: The board reviewed and agreed with the recommendation and has amended the proposed amendment to reflect the change.

20 CSR 2220-6.050 Administration of Vaccines Per Protocol

(4) Pharmacist Qualifications. A pharmacist who is administering a vaccine authorized by Chapter 338, RSMo, must:

(B) Hold a current cardiopulmonary resuscitation (CPR) certification issued by the American Heart Association or the American Red Cross or equivalent;

(C) Successfully complete a certificate program in the administration of vaccines accredited by the Accreditation Council for Pharmacy Education (ACPE) or a similar health authority or professional body approved by the State Board of Pharmacy;

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2220—State Board of Pharmacy Chapter 6—Pharmaceutical Care Standards

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo 2000 and sections 338.010 and 338.220, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2220-6.055 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2009 (34 MoReg 2544-2545). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board made one (1) comment on the proposed rule.

COMMENT: The board identified an incorrect citation in subsection (1)(R) of the rule.

RESPONSE AND EXPLANATION OF CHANGE: The board voted to change the current citation from section 383.095.5, RSMo, to section 338.095.5, RSMo.

20 CSR 2220-6.055 Non-Dispensing Activities

(1) Pursuant to section 338.220, RSMo, a pharmacist may perform the following non-dispensing activities outside of a licensed pharmacy:

(R) Prescription order entry/review, provided that a pharmacist shall only be authorized to accept a prescription on the premises of a Missouri licensed pharmacy, as required by section 338.095.5, RSMo; and

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 60—Missouri Health Facilities Review Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for May 24, 2010. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name

City (County)

Cost, Description

04/01/10

#4944 RP: Oakdale Residential Care IIA

Poplar Bluff (Butler County)

\$121,884, Long-term care expansion through the purchase of 6 residential care facility beds from Pilkenton Residential Care, Cuba (Crawford County)

04/02/10

#4943 NT: Gibbs Care Center

Steelville (Crawford County)

\$906,634, Renovate/modernize LTC facility

04/12/10

#4508 NT: Green Park Nursing Home

St. Louis (St. Louis County)

\$2,009,442, Renovate/modernize LTC facility

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by May 13, 2010. All written requests and comments should be sent to:

Chairman

Missouri Health Facilities Review Committee

c/o Certificate of Need Program

3418 Knipp Drive, Suite F

Post Office Box 570

Jefferson City, MO 65102

For additional information contact

Donna Schuessler, (573) 751-6403.

STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law and whose Notice of Conviction has been filed with the Secretary of State pursuant to section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works 1) to Michael B. Robin, 2) to any other contractor or subcontractor that is owned, operated, or controlled by Mr. Robin, including Plumbco, Inc., or 3) to any other simulation of Mr. Robin or of Plumbco, Inc., for a period of one (1) year, or until December 17, 2010.

Name of Contractor	Name of Officers	Address	Date of Conviction	Debarment Period
Michael B. Robin DBA Plumbco, Inc. Case No. 09AO-CR01174		7534 Heron Drive Neosho, MO 64804	12/17/09	12/17/2009-12/17/2010

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE OF DISSOLUTION OF LIMITED
LIABILITY COMPANY TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
PLAYTRIBE, LLC

On November 2, 2009, Playtribe, LLC, a Missouri limited liability company ("Company") filed its Notice of Winding Up with the Missouri Secretary of State effective on the filing date.

You are hereby notified if you believe you have a claim against Playtribe, LLC you must submit a summary in writing of the circumstances surrounding your claim to Mark Fuller, 7301 Ohms Lane, Suite 325, Edina, MN 55439. The summary must include the following information: (1) the name, address and telephone number of the claimant; (2) amount of claim; (3) basis of the claim; and (4) documentation supporting the claim.

All claims against Playtribe, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of this Notice.

**NOTICE OF WINDING UP AND DISSOLUTION
OF LIMITED LIABILITY COMPANY
BETHEL PROPERTIES LLC**

On March 30, 2010, Bethel Properties LLC, a Missouri Limited Liability Company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. Said Company requests that all persons and organizations who have claims against it present them immediately by letter to:

Eugene F. Lewis
P.O. Box 396
Union, MO 63084

All claims must include (1) the name, address, and phone number of the claimant; (2) the amount claimed; (3) the basis of the claim; (4) the date on which the claim arose; and (5) documentation supporting the claim.

All claims against Bethel Properties LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS AND
CLAIMANTS AGAINST
LP MARINA, INC.**

LP Marina, Inc. was dissolved as of the 25th day of February, 2010. Any and all claims against LP Marina, Inc. may be sent to Teresa Reinking, Husch Blackwell Sanders LLP, 4801 Main Street, Suite 1000, Kansas City, Missouri 64112. Each such claim should include the following: the name, address and telephone number of the claimant; amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim was based occurred; and whether the corporation has been previously notified of the claim, and if so, when. Any and all claims against LP Marina, Inc. will be barred unless a proceeding to enforce the claim is commenced within two years after the date of this publication.

**NOTICE OF CORPORATE DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS
AGAINST HART AUTO BODY, INC.**

On February 2, 2010, Hart Auto Body, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective February 2, 2010.

All claims against the corporation should be directed to the corporation c/o Thomas F. Hutchison, attorney at law, at James Hutchison Forth & Snyder, PC, 111 Westport Plaza, Suite 505, St. Louis, Missouri 63146. All claims must include (1) the name and address of the claimant, (2) the amount claimed, (3) the date the claim arose or will accrue, and (4) a brief description of the nature of the debt or the basis of the claim.

All claims against Hart Auto Body, Inc. will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF WINDING UP AND DISSOLUTION
OF LIMITED LIABILITY COMPANY
LEYGDA, L.L.C.**

On February 25, 2010, LEYGDA, L.L.C., a Missouri Limited Liability Company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. The dissolution of the LLC was effective on the 22nd day of March, 2010.

Said Company requests that all persons and entities with claims against it present them immediately in writing to the Company c/o Elizabeth S. Rowe, Van Osdol & Magruder, P.C., 911 Main Street, Suite 2400, Kansas City, MO 64105.

All claims must include (1) the name, address, and phone number of the claimant; (2) the amount claimed; (3) the basis of the claim; (4) the date on which the claim arose; and (5) documentation of the claim.

All claims against LEYGDA, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
HOOPER FAMILY INVESTMENTS, LLC**

On March 11, 2010, HOOPER FAMILY INVESTMENTS, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Thomas D. Peebles, Jr., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE OF DISSOLUTION
TO ALL CREDITORS AND CLAIMANTS AGAINST
THE LEDELL BITZER FAMILY FARM LIMITED PARTNERSHIP

Now on this 31 day of March, 2010 come WILLIAM L. PENNYBACKER, General Partner and DARRELL E. REINHARDT, General Partner, and in accordance with Section 359.481 RSMO, provide the following Notice to the creditors and claimants of the Ledell Bitzer Family Farm Limited Partnership as follows:

1. WILLIAM L. PENNYBACKER and DARRELL E. REINHARDT are the Successor General Partners of the above referenced Limited Partnership.
2. Said Limited Partnership has been dissolved and is in the winding up process as authorized by the Limited Partnership Agreement of said Limited Partnership and by the Missouri statutes governing Limited Partnerships (Section 359.010 RSMO et. seq.).
3. All persons and entities which have claims against the LEDELL BITZER FAMILY FARM LIMITED PARTNERSHIP must present said claims to the undersigned Successor General Partners addressed to DARRELL E. REINHARDT, 30091 State Highway 94, Hermann, Missouri 65041.
4. Said claim shall include the following:
 - A. Name, address and telephone number of the Claimant;
 - B. The amount of the claim;
 - C. The date of the event upon which the claim is based;
 - D. A brief description of the nature of the debt;
 - E. Supporting documentation for such claim.
5. A claim against the aforesaid Limited partnership will be barred unless a proceeding to enforce the claim is commenced with three (3) years after the publication of this Notice.

Notice of Dissolution of Corporation

On February 09, 2010 "The Little Golden Dragon" LLC filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on February 09, 2010. The reason: the owner is too busy with school and can't operate the business.

**NOTICE OF DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
R/S ELECTRIC COMMERCIAL CONSTRUCTION, LLC,
a Missouri limited liability company (the "Company")**

On March 26, 2010, the Company filed its Notice of Winding Up with the Missouri Secretary of State. The effective date of the Company's dissolution was March 26, 2010.

All persons and organizations who have claims against the Company are requested to present them immediately by letter to the Company c/o Gregory C. Lucas, Esq., Polsinelli Shughart PC, 3101 Frederick Avenue, St. Joseph, Missouri 64506. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim and the date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY

1. The name of the limited liability company is Cedar Crest Development, L.L.C.
2. The Articles of Organization for Cedar Crest Development, L.L.C. were filed with the Missouri Secretary of State on August 26, 1996.
3. On February 24, 2010, Cedar Crest Development, L.L.C. filed a Notice of Winding Up for Limited Liability Company with the Secretary of State of Missouri.
4. Persons with claims against Cedar Crest Development, L.L.C. should present them in accordance with the following procedure:
 - (a) In order to file a claim with Cedar Crest Development, L.L.C., you must furnish the following:
 - (i) Amount of the claim
 - (ii) Basis for the claim
 - (iii) Documentation for the claim
 - (b) The claim must be mailed to:

Teresa Reinking
4801 Main Street, Ste. 1000
Kansas City, MO 64112
5. A claim against Cedar Crest Development, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel		35 MoReg 98		
DEPARTMENT OF AGRICULTURE					
2 CSR 90-10	Weights and Measures				34 MoReg 1949
2 CSR 100-6.010	Missouri Agricultural and Small Business Development Authority	34 MoReg 2527	35 MoReg 7	35 MoReg 653	
DEPARTMENT OF CONSERVATION					
3 CSR 10-7.417	Conservation Commission		35 MoReg 639R		
3 CSR 10-7.455	Conservation Commission				35 MoReg 316
3 CSR 10-8.505	Conservation Commission		35 MoReg 639		
3 CSR 10-8.515	Conservation Commission		35 MoReg 639		
3 CSR 10-9.353	Conservation Commission		35 MoReg 640		
3 CSR 10-10.722	Conservation Commission		35 MoReg 640		
3 CSR 10-10.724	Conservation Commission		35 MoReg 641		
3 CSR 10-10.726	Conservation Commission		35 MoReg 641		
3 CSR 10-10.743	Conservation Commission		35 MoReg 641		
3 CSR 10-12.109	Conservation Commission		35 MoReg 642		
3 CSR 10-12.110	Conservation Commission		35 MoReg 642		
3 CSR 10-12.115	Conservation Commission		35 MoReg 642		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.130	Conservation Commission		35 MoReg 643		
3 CSR 10-12.135	Conservation Commission		35 MoReg 643		
3 CSR 10-12.140	Conservation Commission		35 MoReg 644		
3 CSR 10-12.145	Conservation Commission		35 MoReg 644		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 85-6.010	Division of Business and Community Services	34 MoReg 2353	34 MoReg 2381	35 MoReg 542	
4 CSR 85-7.010	Division of Business and Community Services		35 MoReg 449		
4 CSR 170-1.010	Missouri Housing Development Commission		35 MoReg 527R		
4 CSR 170-1.100	Missouri Housing Development Commission		35 MoReg 527		
4 CSR 170-1.200	Missouri Housing Development Commission		35 MoReg 528		
4 CSR 170-8.010	Missouri Housing Development Commission		35 MoReg 529		
4 CSR 170-8.020	Missouri Housing Development Commission		35 MoReg 530		
4 CSR 170-8.030	Missouri Housing Development Commission		35 MoReg 531		
4 CSR 170-8.040	Missouri Housing Development Commission		35 MoReg 531		
4 CSR 170-8.050	Missouri Housing Development Commission		35 MoReg 532		
4 CSR 170-8.060	Missouri Housing Development Commission		35 MoReg 532		
4 CSR 170-8.070	Missouri Housing Development Commission		35 MoReg 533		
4 CSR 170-8.080	Missouri Housing Development Commission		35 MoReg 534		
4 CSR 170-8.090	Missouri Housing Development Commission		35 MoReg 534		
4 CSR 170-8.100	Missouri Housing Development Commission		35 MoReg 535		
4 CSR 170-8.110	Missouri Housing Development Commission		35 MoReg 535		
4 CSR 170-8.120	Missouri Housing Development Commission		35 MoReg 535		
4 CSR 170-8.130	Missouri Housing Development Commission		35 MoReg 536		
4 CSR 170-8.140	Missouri Housing Development Commission		35 MoReg 536		
4 CSR 170-8.150	Missouri Housing Development Commission		35 MoReg 538		
4 CSR 170-8.160	Missouri Housing Development Commission		35 MoReg 538		
4 CSR 240-2.070	Public Service Commission		This Issue		
4 CSR 240-3.156	Public Service Commission		35 MoReg 365		
4 CSR 240-3.190	Public Service Commission		35 MoReg 207		
4 CSR 240-3.545	Public Service Commission		35 MoReg 209		
4 CSR 240-4.020	Public Service Commission		34 MoReg 2590R		
			34 MoReg 2590		
4 CSR 240-20.100	Public Service Commission		35 MoReg 365		
4 CSR 240-33.160	Public Service Commission		35 MoReg 210		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 50-270.010	Division of School Improvement		35 MoReg 210		
5 CSR 50-345.105	Division of School Improvement		34 MoReg 2141	35 MoReg 542W	
5 CSR 50-345.205	Division of School Improvement		34 MoReg 2144	35 MoReg 542W	
5 CSR 50-350.050	Division of School Improvement		35 MoReg 452		
5 CSR 60-100.010	Division of Career Education		N.A.	35 MoReg 543	
5 CSR 60-100.020	Division of Career Education		35 MoReg 214		35 MoReg 59
5 CSR 80-800.200	Teacher Quality and Urban Education		35 MoReg 454		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 80-800.220	Teacher Quality and Urban Education		35 MoReg 454		
5 CSR 80-800.260	Teacher Quality and Urban Education		35 MoReg 455		
5 CSR 80-800.270	Teacher Quality and Urban Education		35 MoReg 455		
5 CSR 80-800.280	Teacher Quality and Urban Education		35 MoReg 456		
5 CSR 80-800.290	Teacher Quality and Urban Education		35 MoReg 456		
5 CSR 80-800.350	Teacher Quality and Urban Education		35 MoReg 457		
5 CSR 80-800.360	Teacher Quality and Urban Education		35 MoReg 458		
5 CSR 80-800.380	Teacher Quality and Urban Education		35 MoReg 459		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 250-II.041	University of Missouri	35 MoReg 161	34 MoReg 2592		
6 CSR 250-II.042	University of Missouri		34 MoReg 2594		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		35 MoReg 539		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				35 MoReg 547
7 CSR 10-27.010	Missouri Highways and Transportation Commission		34 MoReg 2315	35 MoReg 545	
7 CSR 10-27.020	Missouri Highways and Transportation Commission		34 MoReg 2317	35 MoReg 545	
7 CSR 10-27.030	Missouri Highways and Transportation Commission		34 MoReg 2319	35 MoReg 545	
7 CSR 10-27.040	Missouri Highways and Transportation Commission		34 MoReg 2321	35 MoReg 545	
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 50-1.010	Division of Workers' Compensation		34 MoReg 2467	35 MoReg 545	
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-7.090	Director, Department of Mental Health		35 MoReg 645		
9 CSR 10-31.011	Director, Department of Mental Health		35 MoReg 8	35 MoReg 653	
9 CSR 30-4.035	Certification Standards		35 MoReg 646		
9 CSR 30-4.042	Certification Standards		35 MoReg 646		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 1-3.010	Director's Office		34 MoReg 2385	35 MoReg 603	
10 CSR 10-6.010	Air Conservation Commission		34 MoReg 2385	35 MoReg 603	
10 CSR 10-6.040	Air Conservation Commission		34 MoReg 2387	35 MoReg 604	
10 CSR 10-6.050	Air Conservation Commission		34 MoReg 2594		
10 CSR 10-6.070	Air Conservation Commission		34 MoReg 2387	35 MoReg 604	
10 CSR 10-6.075	Air Conservation Commission		34 MoReg 2389	35 MoReg 605	
10 CSR 10-6.080	Air Conservation Commission		34 MoReg 2392	35 MoReg 605	
10 CSR 10-6.110	Air Conservation Commission		35 MoReg 461		
10 CSR 10-6.130	Air Conservation Commission		34 MoReg 2392	35 MoReg 605	
10 CSR 10-6.390	Air Conservation Commission		34 MoReg 2145	35 MoReg 606	
10 CSR 20-7.015	Clean Water Commission		34 MoReg 2394		
10 CSR 25-19.010	Hazardous Waste Management Commission	34 MoReg 1535	34 MoReg 1553	35 MoReg 474	
10 CSR 70-4.010	Soil and Water Districts Commission		35 MoReg 214R		
			35 MoReg 214		
10 CSR 70-5.010	Soil and Water Districts Commission	34 MoReg 1779	35 MoReg 216R		
			35 MoReg 216		
10 CSR 70-5.040	Soil and Water Districts Commission	34 MoReg 1783	35 MoReg 217R		
			35 MoReg 217		
10 CSR 70-5.050	Soil and Water Districts Commission	34 MoReg 1785	35 MoReg 217R		
			35 MoReg 217		
10 CSR 70-5.060	Soil and Water Districts Commission	34 MoReg 1786	35 MoReg 219R		
			35 MoReg 219		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 45-10.040	Missouri Gaming Commission		35 MoReg 99	This Issue	
11 CSR 45-11.020	Missouri Gaming Commission	35 MoReg 85	35 MoReg 100	This Issue	
11 CSR 45-11.030	Missouri Gaming Commission	35 MoReg 86	35 MoReg 103	This Issue	
11 CSR 45-11.050	Missouri Gaming Commission	35 MoReg 86	35 MoReg 103	This Issue	
11 CSR 45-11.070	Missouri Gaming Commission	35 MoReg 87	35 MoReg 103	This Issue	
11 CSR 45-11.130	Missouri Gaming Commission	35 MoReg 88	35 MoReg 104	This Issue	
11 CSR 45-12.010	Missouri Gaming Commission		35 MoReg 467		
DEPARTMENT OF REVENUE					
12 CSR 10-2.045	Director of Revenue		35 MoReg 13	This Issue	
12 CSR 10-3.249	Director of Revenue		35 MoReg 575R		
12 CSR 10-3.830	Director of Revenue		35 MoReg 575R		
12 CSR 10-3.832	Director of Revenue		35 MoReg 575R		
12 CSR 10-41.010	Director of Revenue	34 MoReg 2528	34 MoReg 2536	35 MoReg 545	
12 CSR 10-103.390	Director of Revenue		This Issue		
12 CSR 10-110.900	Director of Revenue		34 MoReg 2467	35 MoReg 608	
12 CSR 30-3.010	State Tax Commission		35 MoReg 220		
12 CSR 30-3.025	State Tax Commission		35 MoReg 220		
12 CSR 30-4.010	State Tax Commission		35 MoReg 221		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-38.010	Children's Division		35 MoReg 576		
13 CSR 35-60.070	Children's Division		35 MoReg 582		
13 CSR 70-3.200	MO HealthNet Division		This Issue		
13 CSR 70-10.015	MO HealthNet Division	35 MoReg 635	35 MoReg 647		
13 CSR 70-10.080	MO HealthNet Division		35 MoReg 652		
13 CSR 70-10.110	MO HealthNet Division	35 MoReg 5	35 MoReg 13	This Issue	
13 CSR 70-15.010	MO HealthNet Division	35 MoReg 161	34 MoReg 1802	35 MoReg 306	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 70-15.110	MO HealthNet Division	35 MoReg 5	35 MoReg 17	This Issue	
13 CSR 70-20.320	MO HealthNet Division	35 MoReg 6	35 MoReg 19	This Issue	
13 CSR 70-90.010	MO HealthNet Division		This Issue		
ELECTED OFFICIALS					
15 CSR 30-45.040	Secretary of State		This Issue		
15 CSR 40-4.010	State Auditor		35 MoReg 224		
15 CSR 40-4.020	State Auditor		35 MoReg 224		
15 CSR 40-4.030	State Auditor		35 MoReg 225		
15 CSR 40-4.040	State Auditor		35 MoReg 225		
15 CSR 50-2.050	Treasurer	34 MoReg 2528	34 MoReg 2540	35 MoReg 546	
RETIREMENT SYSTEMS					
16 CSR 10-5.010	The Public School Retirement System of Missouri		35 MoReg 226		
16 CSR 10-5.020	The Public School Retirement System of Missouri		35 MoReg 227		
16 CSR 10-6.060	The Public School Retirement System of Missouri		35 MoReg 227		
16 CSR 10-6.070	The Public School Retirement System of Missouri		35 MoReg 228		
16 CSR 20-2.080	Missouri Local Government Employees' Retirement System (LAGERS)		35 MoReg 104R 35 MoReg 105	This IssueR This Issue	
16 CSR 20-2.105	Missouri Local Government Employees' Retirement System (LAGERS)		34 MoReg 2595	35 MoReg 609	
16 CSR 50-2.010	The County Employees' Retirement Fund		35 MoReg 467		
16 CSR 50-2.035	The County Employees' Retirement Fund		35 MoReg 468		
16 CSR 50-2.120	The County Employees' Retirement Fund		35 MoReg 468		
16 CSR 50-2.130	The County Employees' Retirement Fund		35 MoReg 469		
16 CSR 50-10.010	The County Employees' Retirement Fund		35 MoReg 469		
16 CSR 50-10.050	The County Employees' Retirement Fund		35 MoReg 470		
16 CSR 50-10.060	The County Employees' Retirement Fund		35 MoReg 471		
16 CSR 50-20.070	The County Employees' Retirement Fund		35 MoReg 471		
16 CSR 50-20.080	The County Employees' Retirement Fund		35 MoReg 472		
16 CSR 50-20.120	The County Employees' Retirement Fund		35 MoReg 472		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 20-28	Division of Community and Public Health				34 MoReg 2432
19 CSR 30-40.342	Division of Regulation and Licensure		34 MoReg 2147	35 MoReg 475	
19 CSR 60-50	Missouri Health Facilities Review Committee				35 MoReg 548 35 MoReg 610 This Issue
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Construction Claims Binding Arbitration Cap				33 MoReg 150 33 MoReg 2446 35 MoReg 654
20 CSR	Medical Malpractice				31 MoReg 616 32 MoReg 545
20 CSR	Sovereign Immunity Limits				33 MoReg 150 33 MoReg 2446 35 MoReg 318
20 CSR	State Legal Expense Fund Cap				32 MoReg 668 33 MoReg 150 33 MoReg 2446 35 MoReg 654
20 CSR 500-2.300	Property and Casualty		This Issue		
20 CSR 1105-3.011	Credit Union Commission		34 MoReg 2472	35 MoReg 479	
20 CSR 1105-3.012	Credit Union Commission		34 MoReg 2472	35 MoReg 479	
20 CSR 2010-1.010	Missouri State Board of Accountancy		35 MoReg 584		
20 CSR 2010-2.005	Missouri State Board of Accountancy		35 MoReg 585		
20 CSR 2010-2.022	Missouri State Board of Accountancy		35 MoReg 586		
20 CSR 2010-2.041	Missouri State Board of Accountancy		35 MoReg 587		
20 CSR 2010-2.051	Missouri State Board of Accountancy		35 MoReg 587		
20 CSR 2010-2.061	Missouri State Board of Accountancy		35 MoReg 588		
20 CSR 2010-2.065	Missouri State Board of Accountancy		35 MoReg 588		
20 CSR 2010-2.070	Missouri State Board of Accountancy		35 MoReg 588		
20 CSR 2010-2.072	Missouri State Board of Accountancy		35 MoReg 589		
20 CSR 2010-2.075	Missouri State Board of Accountancy		35 MoReg 589		
20 CSR 2010-2.095	Missouri State Board of Accountancy		35 MoReg 590		
20 CSR 2010-2.130	Missouri State Board of Accountancy		35 MoReg 591		
20 CSR 2010-2.150	Missouri State Board of Accountancy		35 MoReg 591		
20 CSR 2010-3.010	Missouri State Board of Accountancy		35 MoReg 592		
20 CSR 2010-3.060	Missouri State Board of Accountancy		35 MoReg 592		
20 CSR 2010-4.010	Missouri State Board of Accountancy		35 MoReg 593		
20 CSR 2010-4.031	Missouri State Board of Accountancy		35 MoReg 596		
20 CSR 2010-4.035	Missouri State Board of Accountancy		35 MoReg 596		
20 CSR 2010-4.041	Missouri State Board of Accountancy		35 MoReg 596		
20 CSR 2010-5.070	Missouri State Board of Accountancy		35 MoReg 597		
20 CSR 2010-5.080	Missouri State Board of Accountancy		35 MoReg 597		
20 CSR 2010-5.090	Missouri State Board of Accountancy		35 MoReg 598		
20 CSR 2010-5.100	Missouri State Board of Accountancy		35 MoReg 598		
20 CSR 2010-5.110	Missouri State Board of Accountancy		35 MoReg 599		
20 CSR 2120-2.100	State Board of Embalmers and Funeral Directors	34 MoReg 2357	34 MoReg 2417	35 MoReg 479	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2120-2.130	State Board of Embalmers and Funeral Directors	35 MoReg 88	35 MoReg 105		
20 CSR 2120-2.140	State Board of Embalmers and Funeral Directors	35 MoReg 89	35 MoReg 105		
20 CSR 2120-2.150	State Board of Embalmers and Funeral Directors	35 MoReg 90	35 MoReg 106		
20 CSR 2120-3.105	State Board of Embalmers and Funeral Directors	34 MoReg 2357	34 MoReg 2421	35 MoReg 479	
20 CSR 2120-3.115	State Board of Embalmers and Funeral Directors	35 MoReg 90	35 MoReg 106		
20 CSR 2120-3.120	State Board of Embalmers and Funeral Directors	35 MoReg 91	35 MoReg 109		
20 CSR 2120-3.125	State Board of Embalmers and Funeral Directors	34 MoReg 2358	34 MoReg 2424	35 MoReg 479	
20 CSR 2120-3.200	State Board of Embalmers and Funeral Directors	35 MoReg 92	35 MoReg 109		
20 CSR 2120-3.300	State Board of Embalmers and Funeral Directors	35 MoReg 92	35 MoReg 109		
20 CSR 2120-3.305	State Board of Embalmers and Funeral Directors	35 MoReg 93	35 MoReg 110		
20 CSR 2120-3.310	State Board of Embalmers and Funeral Directors	35 MoReg 93	35 MoReg 110		
20 CSR 2120-3.400	State Board of Embalmers and Funeral Directors	35 MoReg 94	35 MoReg 112		
20 CSR 2120-3.405	State Board of Embalmers and Funeral Directors	34 MoReg 2464	34 MoReg 2424	35 MoReg 480	
20 CSR 2120-3.410	State Board of Embalmers and Funeral Directors	35 MoReg 95	35 MoReg 112		
20 CSR 2120-3.505	State Board of Embalmers and Funeral Directors	35 MoReg 95	35 MoReg 112		
20 CSR 2120-3.515	State Board of Embalmers and Funeral Directors	35 MoReg 96	35 MoReg 113		
20 CSR 2120-3.525	State Board of Embalmers and Funeral Directors	35 MoReg 97	35 MoReg 113		
20 CSR 2150-5.025	State Board of Registration for the Healing Arts	34 MoReg 2529	34 MoReg 2540	This Issue	
20 CSR 2200-4.021	State Board of Nursing		34 MoReg 2473R	35 MoReg 480R	
20 CSR 2200-4.022	State Board of Nursing		34 MoReg 2473	35 MoReg 480	
20 CSR 2220-6.050	State Board of Pharmacy	34 MoReg 2531	34 MoReg 2542	This Issue	
20 CSR 2220-6.055	State Board of Pharmacy	34 MoReg 2534	34 MoReg 2544	This Issue	
20 CSR 2263-1.010	State Committee for Social Workers		34 MoReg 2221R	35 MoReg 480R	
			34 MoReg 2221	35 MoReg 481	
20 CSR 2263-1.035	State Committee for Social Workers		34 MoReg 2222	35 MoReg 481	
20 CSR 2263-2.020	State Committee for Social Workers		34 MoReg 2225R	35 MoReg 481R	
			34 MoReg 2225	35 MoReg 481	
20 CSR 2263-2.022	State Committee for Social Workers		34 MoReg 2225R	35 MoReg 481R	
20 CSR 2263-2.030	State Committee for Social Workers		34 MoReg 2226	35 MoReg 481	
20 CSR 2263-2.031	State Committee for Social Workers		34 MoReg 2226R	35 MoReg 482R	
			34 MoReg 2226	35 MoReg 482	
20 CSR 2263-2.032	State Committee for Social Workers		34 MoReg 2233	35 MoReg 484	
20 CSR 2263-2.045	State Committee for Social Workers		34 MoReg 2238	35 MoReg 484	
20 CSR 2263-2.047	State Committee for Social Workers		34 MoReg 2242R	35 MoReg 485R	
20 CSR 2263-2.050	State Committee for Social Workers		34 MoReg 2242	35 MoReg 485	
20 CSR 2263-2.052	State Committee for Social Workers		34 MoReg 2248R	35 MoReg 485R	
20 CSR 2263-2.060	State Committee for Social Workers		34 MoReg 2248	35 MoReg 485	
20 CSR 2263-2.062	State Committee for Social Workers		34 MoReg 2248R	35 MoReg 486R	
20 CSR 2263-2.070	State Committee for Social Workers		34 MoReg 2249R	35 MoReg 486R	
			34 MoReg 2249	35 MoReg 486	
20 CSR 2263-2.072	State Committee for Social Workers		34 MoReg 2253R	35 MoReg 486R	
20 CSR 2263-2.075	State Committee for Social Workers		34 MoReg 2253	35 MoReg 486	
20 CSR 2263-2.082	State Committee for Social Workers		34 MoReg 2253	35 MoReg 487	
20 CSR 2263-2.085	State Committee for Social Workers		34 MoReg 2255R	35 MoReg 487R	
			34 MoReg 2255	35 MoReg 487	
20 CSR 2263-2.090	State Committee for Social Workers		34 MoReg 2261	35 MoReg 488	
20 CSR 2263-3.010	State Committee for Social Workers		34 MoReg 2263R	35 MoReg 488R	
			34 MoReg 2263	35 MoReg 488	
20 CSR 2263-3.020	State Committee for Social Workers		34 MoReg 2263R	35 MoReg 488R	
			34 MoReg 2263	35 MoReg 488	
20 CSR 2263-3.040	State Committee for Social Workers		34 MoReg 2264R	35 MoReg 488R	
			34 MoReg 2264	35 MoReg 489	
20 CSR 2263-3.060	State Committee for Social Workers		34 MoReg 2265R	35 MoReg 489R	
			34 MoReg 2266	35 MoReg 489	
20 CSR 2263-3.080	State Committee for Social Workers		34 MoReg 2266R	35 MoReg 489R	
			34 MoReg 2267	35 MoReg 490	
20 CSR 2263-3.100	State Committee for Social Workers		34 MoReg 2267R	35 MoReg 490R	
			34 MoReg 2267	35 MoReg 490	
20 CSR 2263-3.120	State Committee for Social Workers		34 MoReg 2268R	35 MoReg 490R	
			34 MoReg 2268	35 MoReg 490	
20 CSR 2263-3.140	State Committee for Social Workers		34 MoReg 2269R	35 MoReg 491R	
			34 MoReg 2269	35 MoReg 491	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-2.010	Health Care Plan	35 MoReg 164	35 MoReg 229		
22 CSR 10-2.020	Health Care Plan	35 MoReg 171	35 MoReg 239		
22 CSR 10-2.045	Health Care Plan	35 MoReg 174	35 MoReg 242		
22 CSR 10-2.050	Health Care Plan	35 MoReg 175	35 MoReg 243		
22 CSR 10-2.051	Health Care Plan	35 MoReg 176	35 MoReg 246		
22 CSR 10-2.053	Health Care Plan	35 MoReg 177	35 MoReg 250		
22 CSR 10-2.054	Health Care Plan	35 MoReg 177	35 MoReg 254		
22 CSR 10-2.055	Health Care Plan	35 MoReg 178	35 MoReg 257		
22 CSR 10-2.060	Health Care Plan	35 MoReg 178	35 MoReg 257		
22 CSR 10-2.064	Health Care Plan	35 MoReg 181	35 MoReg 259		
22 CSR 10-2.067	Health Care Plan	35 MoReg 181R	35 MoReg 262R		
22 CSR 10-2.075	Health Care Plan		35 MoReg 599		
22 CSR 10-2.090	Health Care Plan	35 MoReg 182	35 MoReg 262		
22 CSR 10-3.010	Health Care Plan	35 MoReg 183	35 MoReg 267		
22 CSR 10-3.020	Health Care Plan	35 MoReg 190	35 MoReg 276		
22 CSR 10-3.030	Health Care Plan	35 MoReg 193	35 MoReg 279		
22 CSR 10-3.045	Health Care Plan	35 MoReg 194	35 MoReg 279		
22 CSR 10-3.050	Health Care Plan	35 MoReg 194	35 MoReg 280		
22 CSR 10-3.051	Health Care Plan	35 MoReg 195	35 MoReg 285		
22 CSR 10-3.052	Health Care Plan	35 MoReg 196	35 MoReg 289		
22 CSR 10-3.053	Health Care Plan	35 MoReg 197	35 MoReg 293		
22 CSR 10-3.054	Health Care Plan	35 MoReg 197	35 MoReg 297		
22 CSR 10-3.055	Health Care Plan	35 MoReg 198	35 MoReg 301		
22 CSR 10-3.060	Health Care Plan	35 MoReg 199	35 MoReg 301		
22 CSR 10-3.075	Health Care Plan		35 MoReg 600		
22 CSR 10-3.090	Health Care Plan	35 MoReg 201	35 MoReg 303		

Emergency Rule Table

Agency	Publication	Effective	Expiration
Department of Agriculture			
Plant Industries			
2 CSR 70-11.060	Thousand Cankers Disease of Walnut Exterior Quarantine . . .Next Issue	April 12, 2010	Jan. 19, 2011
Department of Higher Education			
University of Missouri			
6 CSR 250-11.041	Inspection Fee on Manipulated Animal or Vegetable Manure Fertilizers . . . . .	.35 MoReg 161	Jan. 1, 2010June 28, 2010
Department of Transportation			
Highway Safety Division			
7 CSR 60-2.010	Definitions . . . . .	.Next Issue	April 18, 2010Nov. 30, 2010
7 CSR 60-2.030	Standards and Specifications . . . . .	.Next Issue	April 18, 2010Nov. 30, 2010
Department of Public Safety			
Missouri Gaming Commission			
11 CSR 45-11.020	Deposit Account—Taxes and Fees . . . . .	.35 MoReg 85	Jan. 6, 2010July 4, 2010
11 CSR 45-11.030	Payment—Gaming Tax . . . . .	.35 MoReg 86	Jan. 6, 2010July 4, 2010
11 CSR 45-11.050	Admission Fee . . . . .	.35 MoReg 86	Jan. 6, 2010July 4, 2010
11 CSR 45-11.070	Return and Payment—Admission Fee . . . . .	.35 MoReg 87	Jan. 6, 2010July 4, 2010
11 CSR 45-11.130	Failure to File Return or Pay Tax or Fee . . . . .	.35 MoReg 88	Jan. 6, 2010July 4, 2010
Department of Revenue			
Director of Revenue			
12 CSR 10-41.010	Annual Adjusted Rate of Interest . . . . .	.34 MoReg 2528	Jan. 1, 2010June 29, 2010
Department of Social Services			
MO HealthNet Division			
13 CSR 70-10.015	Prospective Reimbursement Plan for Nursing Facility Services . . . . .	.35 MoReg 635	April 1, 2010Sept. 27, 2010
13 CSR 70-10.110	Nursing Facility Reimbursement Allowance . . . . .	.35 MoReg 5	Jan. 1, 2010June 29, 2010
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology. . . . .	.35 MoReg 161	Jan. 1, 2010June 29, 2010
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	.35 MoReg 5	Jan. 1, 2010June 29, 2010
13 CSR 70-20.320	Pharmacy Reimbursement Allowance . . . . .	.35 MoReg 6	Jan. 1, 2010June 29, 2010
Elected Officials			
Treasurer			
15 CSR 50-2.050	Interest Rate on Linked Deposit Loans . . . . .	.34 MoReg 2528	Nov. 7, 2009May 5, 2010
Department of Insurance, Financial Institutions and Professional Registration			
Division of Finance			
20 CSR 1140-30.010	Definitions . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.030	Licensing . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.040	Operations and Supervision . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.050	Annual Report of Mortgage Brokerage Activity and Mortgage Servicing Activity . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.070	Advertising . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.080	Loan Brokerage Practices . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.090	Loan Application Practices . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.100	General Practices . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.110	Commitment and Closing Practices . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.120	Exemption Guidelines . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.200	Definitions . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.210	Licensing of Mortgage Loan Originators . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.220	Self-Reporting Requirements . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011
20 CSR 1140-30.230	Challenges to Information Submitted to NMLSR . . . . .	.Next Issue	April 18, 2009Jan. 26, 2011

Agency	Publication	Effective	Expiration
20 CSR 1140-30.240 Operations and Supervision of Residential Mortgage Loan Brokers	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.250 Change in Business Activities	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.260 Full-Service Office Requirement	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.270 Maintenance of Records	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.280 Authorized Advance Fees and Escrow Requirements	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.290 In-State Office Waiver For Services	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.300 Annual Report	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.310 Bonding Requirements	Next Issue	April 18, 2009	Jan. 26, 2011
20 CSR 1140-30.320 Exempt List	Next Issue	April 18, 2009	Jan. 26, 2011
State Board of Embalmers and Funeral Directors			
20 CSR 2120-2.130 Final Disposition as Defined in Chapter 193	35 MoReg 88	Dec. 4, 2009	June 11, 2010
20 CSR 2120-2.140 Financial Welfare Cause for Injunction	35 MoReg 89	Dec. 4, 2009	June 11, 2010
20 CSR 2120-2.150 Payment Not Determining Factor of Practice of Funeral Directing	35 MoReg 90	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.115 Contact Information	35 MoReg 90	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.120 Display of License	35 MoReg 91	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.200 Seller Obligations	35 MoReg 92	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.300 Provider Includes Funeral Establishment	35 MoReg 92	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.305 Funeral Director Agent Registration	35 MoReg 93	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.310 Change in Seller Affiliation	35 MoReg 93	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.400 Preneed Agents—Requirements of Agent's Seller	35 MoReg 94	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.410 Preneed Agent's Seller Must be Licensed	35 MoReg 95	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.505 Types of Financing; Other Financing Still Preneed	35 MoReg 95	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.515 Single Premium Annuity Contracts	35 MoReg 96	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.525 Independent Financial Advisor is Agent of Trustee	35 MoReg 97	Dec. 4, 2009	June 11, 2010
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.010 Definitions	35 MoReg 164	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.020 Subscriber Agreement and General Membership Provisions	35 MoReg 171	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.045 Plan Utilization Review Policy	35 MoReg 174	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.050 CoPay Plan Benefit Provisions and Covered Charges	35 MoReg 175	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges	35 MoReg 176	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.053 High Deductible Health Plan Benefit Provisions and Covered Charges	35 MoReg 177	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.054 Medicare Supplement Plan Benefit Provisions and Covered Charges	35 MoReg 177	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges	35 MoReg 178	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.060 PPO 300 Plan, HDHP, Copay, and HMO Plan Limitations	35 MoReg 178	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.064 HMO Summary of Medical Benefits	35 MoReg 181	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.067 HMO and POS Limitations	35 MoReg 181	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.090 Pharmacy Benefit Summary	35 MoReg 182	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.010 Definitions	35 MoReg 183	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.020 Subscriber Agreement and General Membership Provisions	35 MoReg 190	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.030 Public Entity Membership Agreement and Participation Period	35 MoReg 193	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.045 Plan Utilization Review Policy	35 MoReg 194	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.050 Copay Plan Benefit Provisions and Covered Charges	35 MoReg 194	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.051 PPO 300 Plan Benefit Provisions and Covered Charges	35 MoReg 195	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.052 PPO 500 Plan Benefit Provisions and Covered Charges	35 MoReg 196	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.053 PPO 1000 Plan Benefit Provisions and Covered Charges	35 MoReg 197	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.054 PPO 2000 Plan Benefit Provisions and Covered Charges	35 MoReg 197	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.055 High Deductible Health Plan Benefit Provisions and Covered Charges	35 MoReg 198	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.060 PPO 300 Plan, PPO 500 Plan, PPO 1000 Plan, PPO 2000 Plan, HDHP, and Copay Plan Limitations	35 MoReg 199	Jan. 1, 2010	June 29, 2010
22 CSR 10-3.090 Pharmacy Benefit Summary	35 MoReg 201	Jan. 1, 2010	June 29, 2010

Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
2010			
10-20	Establishes the Missouri Civil War Sesquicentennial Commission	April 2, 2010	Next Issue
10-19	Amends Executive Order 09-17 to give the commissioner of the Office of Administration supervisory authority over the Transform Missouri Project	March 2, 2010	35 MoReg 637
10-18	Establishes the Children in Nature Challenge to challenge Missouri communities to take action to enhance children's education about nature, and to increase children's opportunities to personally experience nature and the outdoors	Feb. 26, 2010	35 MoReg 573
10-17	Establishes a Missouri Emancipation Day Commission to promote, consider, and recommend appropriate activities for the annual recognition and celebration of Emancipation Day	Feb. 2, 2010	35 MoReg 525
10-16	Transfers the scholarship portion of the A+ Schools Program from the Missouri Department of Elementary and Secondary Education to the Missouri Department of Higher Education	Jan. 29, 2010	35 MoReg 447
10-15	Transfers the Breath Alcohol Program from the Missouri Department of Transportation to the Missouri Department of Health and Senior Services	Jan. 29, 2010	35 MoReg 445
10-14	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 29, 2010	35 MoReg 443
10-13	Directs the Department of Social Services to disband the Missouri Task Force on Youth Aging Out of Foster Care	Jan. 15, 2010	35 MoReg 364
10-12	Rescinds Executive Orders 98-14, 95-21, 95-17, and 94-19 and terminates the Governor's Commission on Driving While Intoxicated and Impaired Driving	Jan. 15, 2010	35 MoReg 363
10-11	Rescinds Executive Order 05-41 and terminates the Governor's Advisory Council for Veterans Affairs and assigns its duties to the Missouri Veterans Commission	Jan. 15, 2010	35 MoReg 362
10-10	Rescinds Executive Order 01-08 and terminates the Personal Independence Commission and assigns its duties to the Governor's Council on Disability	Jan. 15, 2010	35 MoReg 361
10-09	Rescinds Executive Orders 95-10, 96-11, and 98-13 and terminates the Governor's Council on AIDS and transfers their duties to the Statewide HIV/STD Prevention Community Planning Group within the Department of Health and Senior Services	Jan. 15, 2010	35 MoReg 360
10-08	Rescinds Executive Order 04-07 and terminates the Missouri Commission on Patient Safety	Jan. 15, 2010	35 MoReg 358
10-07	Rescinds Executive Order 01-16 and terminates the Missouri Commission on Intergovernmental Cooperation	Jan. 15, 2010	35 MoReg 357
10-06	Rescinds Executive Order 05-13 and terminates the Governor's Advisory Council on Plant Biotechnology and assigns its duties to the Missouri Technology Corporation	Jan. 15, 2010	35 MoReg 356
10-05	Rescinds Executive Order 95-28 and terminates the Missouri Board of Geographic Names	Jan. 15, 2010	35 MoReg 355
10-04	Rescinds Executive Order 03-10 and terminates the Missouri Energy Policy Council	Jan. 15, 2010	35 MoReg 354
10-03	Rescinds Executive Order 03-01 and terminates the Missouri Lewis and Clark Bicentennial Commission	Jan. 15, 2010	35 MoReg 353
10-02	Rescinds Executive Order 07-29 and terminates the Governor's Advisory Council on Aging and assigns its duties to the State Board of Senior Services	Jan. 15, 2010	35 MoReg 352
10-01	Rescinds Executive Order 01-15 and terminates the Missouri Commission on Total Compensation	Jan. 15, 2010	35 MoReg 351
2009			
09-29	Outlines the suspension of federal commercial motor vehicle and driver laws during emergency declarations. Executive Orders 07-01 and 08-40 are superceded and replaced on February 1, 2010	December 31, 2009	35 MoReg 205
09-28	Establishes the post of Missouri Poet Laureate. Executive order 08-01 is superceded and replaced	December 24, 2009	35 MoReg 203
09-27	Creates the Missouri Office of Health Information Technology, referred to as MO-HITECH. Executive Order 06-03 is rescinded	November 4, 2009	34 MoReg 2587
09-26	Advises that state offices will be closed November 27, 2009	October 30, 2009	34 MoReg 2466
09-25	Creates the governor's faith-based and community service partnership for disaster recovery	September 21, 2009	34 MoReg 2361

Executive Orders	Subject Matter	Filed Date	Publication
09-24	Creates the prompt pay for a healthy Missouri project	September 11, 2009	34 MoReg 2313
09-23	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	September 1, 2009	34 MoReg 2139
09-22	Appoints the Home Building and Residential Energy Efficiency Advisory panel to issue recommendations on energy efficiency measures for the home building sector and consumers	August 20, 2009	34 MoReg 2137
09-21	Declares a state of emergency exists in the state of Missouri and directs that Missouri State Emergency Operations Plan remain activated	May 14, 2009	34 MoReg 1332
09-20	Gives the director of the Missouri Department of Natural Resources full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period	May 12, 2009	34 MoReg 1331
09-19	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	May 8, 2009	34 MoReg 1329
09-18	Orders that all state agencies whose building management falls under the direction of the Office of Administration shall institute policies that will result in reductions of energy consumption of two percent per year for each of the next ten years	April 23, 2009	34 MoReg 1273
09-17	Creates the Transform Missouri Project as well as the Taxpayer Accountability, Compliance, and Transparency Unit, and rescinds Executive Order 09-12	March 31, 2009	34 MoReg 828
09-16	Directs the Department of Corrections to lead a permanent, interagency steering team for the Missouri Reentry Process	March 26, 2009	34 MoReg 826
09-15	Expands the Missouri Automotive Jobs Task Force to consist of 18 members	March 24, 2009	34 MoReg 824
09-14	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	March 5, 2009	34 MoReg 761
09-13	Extends Executive Order 09-04 and Executive Order 09-07 through March 31, 2009	February 25, 2009	34 MoReg 657
09-12	Creates and establishes the Transform Missouri Initiative	February 20, 2009	34 MoReg 655
09-11	Orders the Department of Health and Senior Services and the Department of Social Services to transfer the Blindness Education, Screening and Treatment Program (BEST) to the Department of Social Services	February 4, 2009	34 MoReg 590
09-10	Orders the Department of Elementary and Secondary Education and the Department of Economic Development to transfer the Missouri Customized Training Program to the Department of Economic Development	February 4, 2009	34 MoReg 588
09-09	Transfers the various scholarship programs under the Departments of Agriculture, Elementary and Secondary Education, Higher Education, and Natural Resources to the Department of Higher Education	February 4, 2009	34 MoReg 585
09-08	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	February 2, 2009	34 MoReg 366
09-07	Gives the director of the Missouri Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on January 26	January 30, 2009	34 MoReg 364
09-06	Activates the state militia in response to the aftermath of severe storms that began on January 26	January 28, 2009	34 MoReg 362
09-05	Establishes a Complete Count Committee for the 2010 Census	January 27, 2009	34 MoReg 359
09-04	Declares a state of emergency and activates the Missouri State Emergency Operations Plan	January 26, 2009	34 MoReg 357
09-03	Directs the Missouri Department of Economic Development, working with the Missouri Development Finance Board, to create a pool of funds designated for low-interest and no-interest direct loans for small business	January 13, 2009	34 MoReg 281
09-02	Creates the Economic Stimulus Coordination Council	January 13, 2009	34 MoReg 279
09-01	Creates the Missouri Automotive Jobs Task Force	January 13, 2009	34 MoReg 277

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, MISSOURI STATE BOARD OF

administration; 20 CSR 2010-5.100; 4/1/10
applications for examination; 20 CSR 2010-2.130; 4/1/10
continuing professional education (CPE) documentation; 20 CSR 2010-4.031; 4/1/10
continuing professional education (CPE) exceptions and waivers; 20 CSR 2010-4.041; 4/1/10
definitions; 20 CSR 2010-2.005; 4/1/10
effective dates and basic requirements; 20 CSR 2010-4.010; 4/1/10
eligibility requirements for the CPA examination; 20 CSR 2010-2.041; 4/1/10
examination procedures; 20 CSR 2010-2.150; 4/1/10
firms subject to peer review requirements; 20 CSR 2010-5.080; 4/1/10
general organization; 20 CSR 2010-1.010; 4/1/10
general purpose of ethics rules; 20 CSR 2010-3.010; 4/1/10
inactive licenses; 20 CSR 2010-4.035; 4/1/10
other responsibilities and practices; 20 CSR 2010-3.060; 4/1/10
oversight; 20 CSR 2010-5.110; 4/1/10
ownership of CPA firms; 20 CSR 2010-2.095; 4/1/10
peer review requirements for renewal of a firm permit; 20 CSR 2010-5.090; 4/1/10
peer review standards; 20 CSR 2010-5.070; 4/1/10
privilege to practice; 20 CSR 2010-2.022; 4/1/10
registration of certified public accounting firms; 20 CSR 2010-2.051; 4/1/10
reinstatement of license to practice; 20 CSR 2010-2.075; 4/1/10
requirements for licensure through reciprocity; 20 CSR 2010-2.065; 4/1/10
requirements for an initial license to practice; 20 CSR 2010-2.061; 4/1/10
renewal of a certified public accounting firm permit; 20 CSR 2010-2.072; 4/1/10
renewal of licenses; 20 CSR 2010-2.070; 4/1/10

ADMINISTRATION, OFFICE OF

appeals; 1 CSR 20-4.010; 1/15/10

AGRICULTURE

agricultural and small business development authority, Missouri
description of operation, definitions, fee structures, applicant requirements, and procedures for making and collecting loans and amending the rules for the single-purpose animal facilities loan guarantee program; 2 CSR 100-6.010; 12/1/09, 1/4/10, 4/15/10

AIR QUALITY, AIR POLLUTION CONTROL

ambient air quality standards; 10 CSR 10-6.010; 11/2/09, 4/1/10
control of NO_x emissions from large stationary internal combustion engines; 10 CSR 10-6.390; 10/1/09, 4/1/10
controlling emissions during episodes of high air pollution; 10 CSR 10-6.130; 11/2/09, 4/1/10
emission standards for hazardous air pollutants; 10 CSR 10-6.080; 11/2/09, 4/1/10
maximum achievable control technology regulations; 10 CSR 10-6.075; 11/2/09, 4/1/10
new source performance regulations; 10 CSR 10-6.070; 11/2/09, 4/1/10
reference methods; 10 CSR 10-6.040; 11/2/09, 4/1/10
reporting emission data, emission fees, and process information; 10 CSR 10-6.110; 3/1/10
start-up, shutdown and malfunctions conditions; 10 CSR 10-6.050; 12/15/09

BUSINESS AND COMMUNITY SERVICES, DIVISION OF

entrepreneurial development council; 4 CSR 85-7.010; 3/1/10
recovery zone bond allocation, waiver, and reallocation; 4 CSR 85-6.010; 11/2/09, 3/15/10

CHILDREN'S DIVISION

adoption and guardianship subsidy; 13 CSR 35-38.010; 4/1/10
foster care services for youth with elevated needs; 13 CSR 35-60.070; 4/1/10

CLEAN WATER COMMISSION

effluent regulations; 10 CSR 20-7.015; 11/2/09

CONSERVATION COMMISSION

bullfrogs and green frogs; 3 CSR 10-12.115; 4/15/10
closed hours; 3 CSR 10-12.109; 4/15/10
commercial establishments; 3 CSR 10-10.743; 4/15/10
fishing
daily and possession limits; 3 CSR 10-12.140; 4/15/10
general provisions and seasons; 3 CSR 10-12.130; 4/15/10
length limits; 3 CSR 10-12.145; 4/15/10
methods; 3 CSR 10-12.135; 4/15/10
furbearers: trapping seasons; 3 CSR 10-8.515; 4/15/10
hunting and trapping; 3 CSR 10-12.125; 5/3/10
nonresident Mississippi River roe fish commercial harvest permit; 3 CSR 10-10.724; 4/15/10
privileges of class I and class II wildlife breeders; 3 CSR 10-9.353; 4/15/10
reciprocal privileges: commercial fishing; commercial waters; 3 CSR 10-10.726; 4/15/10
resident roe fish commercial harvest permit; 3 CSR 10-10.722; 4/15/10
ruffed grouse: seasons, limits; 3 CSR 10-7.417; 4/15/10
trapping; 3 CSR 10-8.505; 4/15/10
use of boats and motors; 3 CSR 10-12.110; 4/15/10

CREDIT UNION COMMISSION

definition—low-income or underserved community; 20 CSR 1105-3.012; 11/16/09, 3/1/10
definitions—immediate family and household; 20 CSR 1105-3.010; 11/16/09, 3/1/10

ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF

administration of high school equivalence program; 5 CSR 60-100.020; 2/1/10
application for a career education of license to teach; 5 CSR 80-800.270; 3/1/10
application for an adult education and literacy certificate of license to teach; 5 CSR 80-800.280; 3/1/10
application for certificate of license to teach; 5 CSR 80-800.200; 3/1/10
application for certificate of license to teach for administrators; 5 CSR 80-800.220; 3/1/10
application for substitute certificate of license to teach; 5 CSR 80-800.290; 3/1/10
certificate of license to teach classifications; 5 CSR 80-800.360; 3/1/10
certificate of license to teach content areas; 5 CSR 80-800.350; 3/1/10

general provisions governing programs authorized under the early childhood development act; 5 CSR 50-270.010; 2/1/10
Missouri school improvement program—fifth cycle; 5 CSR 50-345.105; 10/1/09, 3/15/10
Missouri state plan for adult education; 5 CSR 60-100.010; 3/15/10
persistence to graduation program grants; 5 CSR 50-350.050; 3/1/10
required assessments for professional education certification in Missouri; 5 CSR 80-800.380; 3/1/10
temporary authorization certificate of license to teach; 5 CSR 80-800.260; 3/1/10
waiver of regulations—fifth cycle; 5 CSR 50-345.205; 10/1/09, 3/15/10

EMBALMERS AND FUNERAL DIRECTORS, STATE BOARD OF

change in seller affiliation; 20 CSR 2120-3.310; 1/15/10
contact information; 20 CSR 2120-3.115; 1/15/10
corporate ownership of a license; 20 CSR 2120-3.125; 11/2/09, 3/1/10
display of license; 20 CSR 2120-3.120; 1/15/10
fees; 20 CSR 2120-2.100; 11/2/09, 3/1/10
filing of annual reports; 20 CSR 2120-3.105; 11/2/09, 3/1/10
final disposition as defined in chapter 193; 20 CSR 2120-2.130; 1/15/10
financial welfare cause for injection; 20 CSR 2120-2.140; 1/15/10
funeral director agent restrictions; 20 CSR 2120-3.305; 1/15/10
independent financial advisor is agent of trustee; 20 CSR 2120-3.525; 1/15/10
notice of intent to apply; 20 CSR 2120-3.100; 10/1/09, 11/16/09
payment not determining factor of practice of funeral directing; 20 CSR 2120-2.150; 1/15/10
preneed agents—Missouri law exam; 20 CSR 2120-3.405; 11/2/09, 11/16/09, 3/1/10
preneed agents—requirements of agent's seller; 20 CSR 2120-3.400; 1/15/10
preneed agents's seller must be licensed; 20 CSR 2120-3.410; 1/15/10
provider includes funeral establishment; 20 CSR 2120-3.300; 1/15/10
seller obligations; 20 CSR 2120-3.200; 1/15/10
single premium annuity contracts; 20 CSR 2120-3.515; 1/15/10
types of financing; other financing still preneed; 20 CSR 2120-3.505; 1/15/10

EXECUTIVE ORDERS

amends Executive Order 09-17 to give the commissioner of the Office of Administration supervisory authority over the Transform Missouri Project; 10-19; 4/15/10
designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies; 10-14; 3/1/10
establishes a Missouri Emancipation Day Commission to promote, consider, and recommend appropriate activities for the annual recognition and celebration of Emancipation Day; 10-17; 3/15/10
transfers the Breath Alcohol Program from the Missouri Department of Transportation to the Missouri Department of Health and Senior Services; 10-15; 3/1/10
transfers the scholarship of the A+ Schools Program from the Missouri Department of Elementary and Secondary Education to the Missouri Department of Higher Education; 10-16; 3/1/10

FERTILIZER LAW

guaranteed analysis when tonnage inspection fee is based on product constituent; 6 CSR 250-11.042; 12/15/09
inspection fee on manipulated animal or vegetable manure fertilizers; 6 CSR 250-11.041; 12/15/09, 2/1/10

GAMING COMMISSION, MISSOURI

excursion liquor license required; 11 CSR 45-12.010; 3/1/10
prohibition and reporting of certain transactions; 11 CSR 45-10.040; 1/15/10, 5/3/10
taxation regulations
admission fee; 11 CSR 45-11.050; 1/15/10, 5/3/10
deposit account—taxes and fees; 11 CSR 45-11.020; 1/15/10, 5/3/10
failure to file return or pay tax or fee; 11 CSR 45-11.130; 1/15/10, 5/3/10
payment—gaming tax; 11 CSR 45-11.030; 1/15/10, 5/3/10
return and payment—admission fee; 11 CSR 45-11.070; 1/15/10, 5/3/10

HAZARDOUS WASTE MANAGEMENT COMMISSION

electronics scrap management; 10 CSR 25-19.010; 8/3/09, 3/1/10

HEALING ARTS, STATE BOARD OF

administration of vaccines per protocol; 20 CSR 2150-5.025; 12/1/09, 5/3/10
request for waiver; 20 CSR 2150-7.136; 10/1/09

HEALTH AND SENIOR SERVICES, DEPARTMENT OF

regulation and licensure
application and licensure requirements for the initial licensure and relicensure of emergency medical technician-basic, emergency medical technician-intermediate, and emergency medical technician-paramedics; 19 CSR 30-40.342; 2/17/09, 10/1/09, 3/1/10

HIGHWAYS AND TRANSPORTATION COMMISSION

breath alcohol ignition interlock device certification and operational David's law signing
administration; 7 CSR 10-27.040; 10/15/09, 3/15/10
definitions; 7 CSR 10-27.010; 10/15/09, 3/15/10
eligibility requirements; 7 CSR 10-27.020; 10/15/09, 3/15/10
sign design and installation; 7 CSR 10-27.030; 10/15/09, 3/15/10
description, organization, and information; 7 CSR 10-1.010; 3/15/10
skill performance evaluation certificates for commercial drivers; 7 CSR 10-25.010; 3/15/10

HOUSING DEVELOPMENT COMMISSION, MISSOURI

business with excluded parties; 4 CSR 170-8.040; 3/15/10
causes for debarment of a person(s); 4 CSR 170-8.060; 3/15/10
causes for suspension of a person(s); 4 CSR 170-8.100; 3/15/10
conditions affecting the debarment of a person(s); 4 CSR 170-8.070; 3/15/10
conditions affecting the suspension of a person(s); 4 CSR 170-8.110; 3/15/10
definitions
4 CSR 170-1.100; 3/15/10
4 CSR 170-8.010; 3/15/10
disclosure of information to MHDC or other appropriate officials (voluntary vs. involuntary); 4 CSR 170-8.050; 3/15/10
discretion; 4 CSR 170-8.160; 3/15/10
organization and activities
4 CSR 170-1.010; 3/15/10
4 CSR 170-1.200; 3/15/10
parties to which these regulations apply; 4 CSR 170-8.020; 3/15/10
period of debarment; 4 CSR 170-8.080; 3/15/10
period of suspension; 4 CSR 170-8.120; 3/15/10
prohibited activities of persons; reporting requirements; 4 CSR 170-8.150; 3/15/10
scope and effect of debarment; 4 CSR 170-8.090; 3/15/10
scope of suspension; 4 CSR 170-8.130; 3/15/10
suspension and debarment procedures; 4 CSR 170-8.140; 3/15/10
verification; 4 CSR 170-8.030; 3/15/10

INSURANCE

construction claims binding arbitration cap; 20 CSR; 4/15/10
life, annuities, and health

dependent coverage; 20 CSR 400-2.200; 3/2/09
medicare supplement insurance minimum standards act; 20
CSR 400-3.650; 8/3/09, 9/1/09, 2/1/10
medical malpractice
statistical data reporting; 20 CSR 600-1.030; 7/2/07
property and casualty
cancellation and nonrenewal of automobile insurance; 20 CSR
500-2.300; 5/3/10
state legal expense fund cap; 20 CSR; 4/15/10
statistical reporting
medical malpractice statistical data reporting; 20 CSR 600-
1.030; 10/15/08

LABOR AND INDUSTRIAL RELATIONS

workers' compensation, division of
organization of division of workers' compensation; 8 CSR 50-
1.010; 11/16/09, 3/15/10

MENTAL HEALTH, DEPARTMENT OF

admission criteria; 9 CSR 30-4.042; 4/15/10
client records of a community psychiatric rehabilitation program;
9 CSR 30-4.035; 4/15/10
governing authority and program administration; 9 CSR 10-7.090;
4/15/10
standard means test; 9 CSR 10-31.011; 1/4/10, 4/15/10

MO HEALTHNET

ambulance service reimbursement allowance; 13 CSR 70-3.200;
5/3/10
federal reimbursement allowance (FRA); 13 CSR 70-15.110;
1/4/10, 5/3/10
home health-care services; 13 CSR 70-90.010; 5/3/10
insure Missouri; 13 CSR 70-4.120; 2/15/08
nursing facility reimbursement allowance; 13 CSR 70-10.110; 1/4/10,
5/3/10
pharmacy reimbursement allowance; 13 CSR 70-20.320; 1/4/10,
5/3/10
prospective reimbursement plan for HIV nursing facility services; 13
CSR 70-10.080; 4/15/10
prospective reimbursement plan for nursing facility services; 13 CSR
70-10.015; 4/15/10

MISSOURI CONSOLIDATED HEALTH CARE PLAN

public entity membership
copay plan benefit provisions and covered charges; 22 CSR 10-
3.050; 2/1/10
definitions; 22 CSR 10-3.010; 2/1/10
high deductible health plan benefit provisions and covered
charges; 22 CSR 10-3.055; 2/1/10
pharmacy benefit summary; 22 CSR 10-3.090; 2/1/10
plan utilization review policy; 22 CSR 10-3.045; 2/1/10
PPO 300 plan benefit provisions and covered charges; 22 CSR
10-3.051; 2/1/10
PPO 300 plan, PPO 500 plan, PPO 1000 plan, PPO 2000 plan,
HDHP, and copay plan limitations; 22 CSR 10-3.060;
2/1/10
PPO 500 plan benefit provisions and covered charges; 22 CSR
10-3.052; 2/1/10
PPO 1000 plan benefit provisions and covered charges; 22 CSR
10-3.053; 2/1/10
PPO 2000 plan benefit provisions and covered charges; 22 CSR
10-3.054; 2/1/10
public entity membership agreement and participation period;
22 CSR 10-3.030; 2/1/10
review and appeals procedure; 22 CSR 10-3.075; 4/1/10
subscriber agreement and general membership provisions; 22
CSR 10-3.020; 2/1/10
state membership
copay plan benefit provisions and covered charges; 22 CSR 10-
2.050; 2/1/10
definitions; 22 CSR 10-2.010; 2/1/10
high deductible health plan benefit provisions and covered
charges; 22 CSR 10-2.053; 2/1/10

HMO and POS limitations; 22 CSR 10-2.067; 2/1/10
HMO summary of medical benefits; 22 CSR 10-2.064; 2/1/10
medical plan benefit provisions and covered charges; 22 CSR
10-2.055; 2/1/10
medicare supplement plan benefit provisions and covered
charges; 22 CSR 10-2.054; 2/1/10
pharmacy benefit summary; 22 CSR 10-2.090; 2/1/10
plan utilization review policy; 22 CSR 10-2.045; 2/1/10
PPO 300 plan benefit provisions and covered charges; 22 CSR
10-2.051; 2/1/10
PPO 300 plan, HDHP, copay and HMO plan limitations; 22
CSR 10-2.060; 2/1/10
review and appeals procedure; 22 CSR 10-2.075; 4/1/10
subscriber agreement and general membership provisions; 22
CSR 10-2.020; 2/1/10

NATURAL RESOURCES, DEPARTMENT OF

consolidation of permit processing; 10 CSR 1-3.010; 11/2/09, 4/1/10

NURSING, STATE BOARD OF

graduate temporary permit; 20 CSR 2200-4.021; 11/16/09, 3/1/10
nurse licensure compact; 20 CSR 2200-4.022; 11/16/09, 3/1/10

OCCUPATIONAL THERAPY, MISSOURI BOARD OF

fees; 20 CSR 2205-1.050; 5/15/09

PHARMACY, STATE BOARD OF

administration of vaccines per protocol; 20 CSR 2220-6.050;
12/1/09, 5/3/10
non-dispensing activities; 20 CSR 2220-6.055; 12/1/09

PUBLIC SAFETY, DEPARTMENT OF

Missouri State Water Patrol
filing requirements; 11 CSR 80-5.010; 2/17/09

PUBLIC SERVICE COMMISSION

complaints; 4 CSR 240-2.070; 5/3/10
conduct during proceedings; 4 CSR 240-4.020; 12/15/09
customer proprietary network information; 4 CSR 240-33.160;
2/1/10
electric utility renewable energy standard filing requirements; 4
CSR 240-3.156; 2/16/10
electric utility renewable energy standard requirements; 4 CSR
240-20.100; 2/16/10
ex parte and extra-record communications; 4 CSR 240-4.020;
12/15/09
filing requirements for telecommunications company tariffs; 4 CSR
240-3.545; 2/1/10
reporting requirements for electric utilities and rural electric coop-
eratives; 4 CSR 240-3.190; 2/1/10

RECORDS MANAGEMENT

Missouri historical records advisory board (MHRAB) regrant pro-
gram administration; 15 CSR 30-45.040; 5/3/10

RETIREMENT SYSTEMS

county employees' retirement fund, the
additional provisions; 16 CSR 50-20.120; 3/1/10
benefits upon participant's death; 16 CSR 50-2.120; 3/1/10
death benefits;
16 CSR 50-10.060; 3/1/10
16 CSR 50-20.080; 3/1/10
definitions;
16 CSR 50-2.010; 3/1/10
16 CSR 50-10.010; 3/1/10
direct rollover option; 16 CSR 50-2.130; 3/1/10
distribution of accounts;
16 CSR 50-10.050; 3/1/10
16 CSR 50-20.070; 3/1/10
payment of benefits; 16 CSR 50-2.035; 3/1/10

determination of amount otherwise payable during deflation; 16 CSR 20-2.105; 12/15/09, 4/1/10
 determination of credited service for periods of absence; 16 CSR 20-2.080; 1/15/10
 disability retirement
 16 CSR 10-5.020; 2/1/10
 16 CSR 10-6.070; 2/1/10
 service retirement
 16 CSR 10-5.010; 2/1/10
 16 CSR 10-6.060; 2/1/10
 workers' compensation service credit; 16 CSR 20-2.080; 1/15/10, 5/3/10

SOCIAL WORKERS, STATE COMMITTEE FOR

acceptable supervisors and supervisor responsibilities; 20 CSR 2263-2.031; 10/1/09, 3/1/10
 application for licensure as a licensed baccalaureate social worker; 20 CSR 2263-2.052; 10/1/09, 3/1/10
 application for licensure as a social worker; 20 CSR 2263-2.050; 10/1/09, 3/1/10
 client relationships; 20 CSR 2263-3.040; 10/1/09, 3/1/10
 competence; 20 CSR 2263-3.140; 10/1/09, 3/1/10
 confidentiality; 20 CSR 2263-3.100; 10/1/09, 3/1/10
 continuing education; 20 CSR 2263-2.082; 10/1/09, 3/1/10
 definitions; 20 CSR 2263-1.010; 10/1/09, 3/1/10
 educational requirements for licensed baccalaureate social workers; 20 CSR 2263-2.022; 10/1/09, 3/1/10
 educational requirements for licensed social workers; 20 CSR 2263-2.020; 10/1/09, 3/1/10
 fees; 20 CSR 2263-1.035; 10/1/09, 3/1/10
 inactive status; 20 CSR 2263-2.090; 10/1/09, 3/1/10
 licensure by reciprocity; 20 CSR 2263-2.060; 10/1/09, 3/1/10
 licensure by reciprocity as a licensed baccalaureate social worker; 20 CSR 2263-2.062; 10/1/09, 3/1/10
 moral standards; 20 CSR 2263-3.020; 10/1/09, 3/1/10
 provisional licensed baccalaureate social worker; 20 CSR 2263-2.047; 10/1/09, 3/1/10
 provisional licenses; 20 CSR 2263-2.045; 10/1/09, 3/1/10
 public statements/fees; 20 CSR 2263-3.080; 10/1/09, 3/1/10
 registration of supervised social work experience; 20 CSR 2263-2.032; 10/1/09, 3/1/10
 relationships with colleagues; 20 CSR 2263-3.060; 10/1/09, 3/1/10
 renewal of license; 20 CSR 2263-2.075; 10/1/09, 3/1/10
 research on human subjects; 20 CSR 2263-3.120; 10/1/09, 3/1/10
 restoration of license; 20 CSR 2263-2.085; 10/1/09, 3/1/10
 scope of coverage and organization; 20 CSR 2263-3.010; 10/1/09, 3/1/10
 supervised licensed social work experience; 20 CSR 2263-2.030; 10/1/09, 3/1/10
 temporary permits for licensed baccalaureate social workers; 20 CSR 2263-2.072; 10/1/09, 3/1/10
 temporary permits for licensed social workers; 20 CSR 2263-2.070; 10/1/09, 3/1/10

SOIL AND WATER DISTRICTS COMMISSION

allocation of funds; 10 CSR 70-5.010; 2/1/10
 application and eligibility for funds; 10 CSR 70-5.020; 9/1/09
 apportionment of funds; 10 CSR 70-5.010; 9/1/09
 commission administration of the cost-share program; 10 CSR 70-5.060; 9/1/09, 2/1/10
 conservation equipment incentive program; 10 CSR 70-9.010; 9/15/08
 cost-share rates and reimbursement procedures; 10 CSR 70-5.040; 9/1/09, 2/1/10
 definitions; 10 CSR 70-4.010; 2/1/10
 design, layout and construction of proposed practices; operation and maintenance; 10 CSR 70-5.030; 9/1/09
 district administration of the cost-share program; 10 CSR 70-5.050; 9/1/09, 2/1/10

STATE AUDITOR

contents of audit reports; 15 CSR 40-4.030; 2/1/10
 requirements for districts; 15 CSR 40-4.010; 2/1/10
 scope of audit; 15 CSR 40-4.040; 2/1/10
 standards for auditing and financial reporting; 15 CSR 40-4.020; 2/1/10

STATE TAX COMMISSION

agricultural land productive values; 12 CSR 30-4.010; 2/1/10
 appeals from the local board of equalization; 12 CSR 30-3.010; 2/1/10
 collateral estoppel; 12 CSR 30-3.025; 2/1/10

TAX

annual adjusted rate of interest; 12 CSR 10-41.010; 12/1/09, 3/15/10
 income tax
 Missouri consolidated income tax returns; 12 CSR 10-2.045; 1/4/10, 5/3/10
 sales or use
 diplomatic exemptions
 acknowledgement and procedure for requesting; 12 CSR 10-3.832; 4/1/10
 records to be kept by sellers as evidence of exempt sales; 12 CSR 10-3.830; 4/1/10
 farm machinery and equipment related exemptions; 12 CSR 10-110.900; 11/16/09, 4/1/10
 sales to foreign diplomats; 12 CSR 10-3.249; 4/1/10
 veterinary transactions; 12 CSR 10-103.390; 5/3/10

TREASURER

interest rate on linked deposit loans; 15 CSR 50-2.050; 12/1/09, 3/15/10

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